

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

THIRTIETH DAY'S PROCEEDINGS

**Thirty-First Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, June 15, 2005

The Senate was called to order at 1:30 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

| | | |
|---------------|-------------|-------------|
| Mr. President | Dupre | Marionneaux |
| Adley | Ellington | McPherson |
| Amedee | Fields | Michot |
| Bajoie | Fontenot | Mount |
| Barham | Gautreaux B | Murray |
| Boasso | Gautreaux N | Nevers |
| Broome | Heitmeier | Romero |
| Cain | Hollis | Schedler |
| Chaisson | Jackson | Shepherd |
| Cheek | Jones | Smith |
| Cravins | Kostelka | Theunissen |
| Dardenne | Lentini | Ullo |
| Duplessis | Malone | |
| Total - 38 | | |

ABSENT

Total - 0

The President of the Senate announced there were 38 Senators present and a quorum.

Prayer

The prayer was offered by Reverend Johnny C. Hair, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Mount, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Rules Suspended

Senator Jones asked for a suspension of the rules for the purpose of invoking 5 minute cloture.

Senator Schedler objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|---------|
| Mr. President | Cheek | Jackson |
| Bajoie | Heitmeier | Jones |
| Broome | Hollis | Ullo |
| Total - 9 | | |

NAYS

| | | |
|------------|-------------|------------|
| Amedee | Gautreaux N | Nevers |
| Barham | Malone | Schedler |
| Cain | Marionneaux | Shepherd |
| Dupre | Michot | Smith |
| Ellington | Mount | Theunissen |
| Fontenot | Murray | |
| Total - 17 | | |

ABSENT

| | | |
|------------|-------------|-----------|
| Adley | Dardenne | Kostelka |
| Boasso | Duplessis | Lentini |
| Chaisson | Fields | McPherson |
| Cravins | Gautreaux B | Romero |
| Total - 12 | | |

The Chair declared the Senate refused to suspend the rules.

**Privilege Report of the
Legislative Bureau**

June 15, 2005

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 7—
BY REPRESENTATIVE M. GUILLORY
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H), relative to the civil jurisdiction of the City Court of Eunice; to increase the jurisdictional amount in dispute in the City Court of Eunice; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 76—
BY REPRESENTATIVE MARCHAND
AN ACT

To amend and reenact R.S. 22:1065.1(A) and (B)(3), relative to criminal bail bonds; to provide for fees on premiums; to provide for Orleans Parish; to provide for distribution of the fees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 114—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:90(B) and 90.3(F) and R.S. 27:3(14), (16), and (18), 27.1(C)(introductory paragraph), 29.2(B) and (D), 29.3(A) and (D), and 29.4(D) and to enact R.S. 14:90(F), Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:501 through 536, and Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9601, relative to domestic cruiseship gaming; to enact the Domestic Cruiseship Gaming Control Act; to provide for applicability; to provide for definitions; to declare public policy; to provide for procedures for licensing of gaming on a domestic cruiseship; to provide suitability criteria and conditions for licensing; to provide criteria for domestic cruiseships; to provide conditions with respect to licensing; to provide for the powers and duties of the Louisiana Gaming Control Board; to provide for the powers and duties of the gaming division, office of state police; to provide limitations on the designated gaming area; to prohibit certain relationships; to provide for certain crimes; to provide for penalties; to provide for appeals; to provide for assistance for compulsive or problem gambling; to provide that the provisions of law regarding the

uniform and compulsive problem gambling program and permits for nongaming suppliers, key and non-key gaming employees apply to licensees for domestic cruiseship gaming; to create a special taxing district and to provide for its purpose, governance powers, duties, and functions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 128—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:301(3)(i)(ii)(bb), relative to the state sales and use tax; to define manufacturer to include certain exemptions for manufacturing machinery and equipment; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 130—

BY REPRESENTATIVE HAMMETT
AN ACT

To enact R.S. 47:287.730, relative to the corporation income tax; to provide for electing out of partnership treatment for corporation income tax purposes; to provide for the treatment of certain items of income and expenses with regard to an unincorporated organization electing out of partnership treatment; to provide for the applicability of such electing out; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 131—

BY REPRESENTATIVE HAMMETT
AN ACT

To repeal R.S. 47:305.5, relative to the exemption from state and local sales and use tax for materials used in the construction of the Toledo Bend Dam Project; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 132—

BY REPRESENTATIVE HAMMETT
AN ACT

To repeal R.S. 47:305.22, relative to the exemption from sales tax on certain types of mobile, motorized equipment that retail dealers withdraw from inventory for rental as a method of promoting sales; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 135—

BY REPRESENTATIVE CROWE
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(F) and (I), relative to the jurisdictional limits of the City Court of Slidell; to increase the civil jurisdictional amount in dispute; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 156—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:605.1(A), relative to the corporation franchise tax; to specify the amount of excess related party debt that shall be included in capital stock and surplus and undivided profits; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 301—

BY REPRESENTATIVE HAMMETT
AN ACT

To enact R.S. 47:301(7)(j), relative to state and local sales and use taxes; to define lease or rental to include the lease or rental in an arms length transaction of a crane and related equipment with or without an operator; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 338—

BY REPRESENTATIVE M. POWELL
AN ACT

To amend and reenact R.S. 26:81(C) and 281(C)(1), relative to prohibitions on the location of premises licensed to deal in alcoholic beverages; to authorize a municipality to adopt an ordinance to provide for the measurement of distances from a public playground, church or synagogue, public library, school, or full-time day care center that a licensed premises in certain areas cannot be situated; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 371—

BY REPRESENTATIVE WOOTEN
AN ACT

To amend and reenact R.S. 27:302(A)(5)(o), 306(A)(4)(c)(iv), and 311.1(B)(3) and to repeal R.S. 27:306(A)(4)(c)(ii)(dd), relative to the Video Draw Poker Devices Control Law; to remove requirements that qualified truck stop facility fuels sales comply with provisions providing for unfair sales and practices and the consumer protection law for the purposes of meeting fuel facility criteria for a qualified truck stop licensed to operate video draw poker devices; to repeal the requirement that a restaurant at a qualified truck stop offer a varied menu; to provide for an exception to the requirement that video draw poker devices be connected to a central computer system if that system is not operational; to provide that designated representatives are only required for certain licensed establishments; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 564—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 4:732(A)(2), (B), (E)(2) and (5), and (G), to enact R.S. 4:706(D) and 724(I), and to repeal R.S. 4:732(F), relative to the Charitable Raffles, Bingo and Keno Licensing Law; to increase the mega jackpot for a progressive bingo game; to remove requirement that jackpot cap be reached before contributions can be made to the backup or second progressive jackpot; to increase the amount per game participating organizations may contribute per game if the progressive jackpot cap is raised; to remove population restrictions on parishes which can participate in progressive mega jackpot games; to repeal provision of law requiring progressive mega jackpot games and progressive jackpot games be mutually exclusive; to provide with respect to the authority of local governments to restrict or prohibit electronic video bingo; to provide that the term bingo includes electronic video bingo for purposes of decisions to permit charitable raffles, bingo, and keno by local governing authorities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 642—

BY REPRESENTATIVE JEFFERSON
AN ACT

To enact R.S. 15:1229.2, relative to the School Violence Prevention Training Program; to create the program under the jurisdiction of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice; to provide for the powers and duties of a committee to develop a program for training and certifying school security guards; to provide for funding; to

allocate funds to local law enforcement agencies for school crime investigations; to require implementation of the program within six months of funding of the program after evaluation of a pilot test of the program; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 672—
BY REPRESENTATIVES MONTGOMERY AND HOPKINS
AN ACT

To amend and reenact R.S. 47:635(A) and 640(A) and (B) and to enact R.S. 47:1520(A)(3), relative to the severance tax on oil and gas; to extend the tax return and payment due dates; to provide for a one-time payment of the oil and gas severance tax; to repeal the electronic funds transfer requirements; to require oil or gas severance tax reports to be filed electronically; to provide for an effective date; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 672 by Representative Montgomery

AMENDMENT NO.1

On page 2, line 13, following "department" and before "of" insert ", "

HOUSE BILL NO. 718—
BY REPRESENTATIVE BURNS
AN ACT

To amend and reenact R.S. 47:1508(B)(9) and to enact R.S. 47:1508(B)(21) and (22), relative to the furnishing of certain tax information to the State Departments of Natural Resources, Public Safety and Corrections, and Agriculture and Forestry; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 719—
BY REPRESENTATIVE HAMMETT
AN ACT

To repeal R.S. 47:303(B)(6), relative to the sales tax recovery charge on automobile rental contracts; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 721—
BY REPRESENTATIVE BURNS
AN ACT

To amend and reenact R.S. 47:1601(A), relative to the interest on unpaid taxes; to provide the method of interest computation on notices of assessment for unpaid taxes; to provide for the authority of the secretary to abate interest attributable to unreasonable delays; to provide for the authority of the secretary to provide by rule for the compromise the amount of interest due; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 731—
BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
AND SENATORS HINES, BAJOEI, HEITMEIER, AND MOUNT
AN ACT

To amend and reenact R.S. 47:1124, 1125.1(A), and 6007(A), (B), (C)(1), (3)(b), and (4)(a) and (b), and (D) and to enact R.S. 47:1123(10) and 6007(C)(4)(f) and (6), relative to the motion picture investor tax credit; to provide incentives for motion picture infrastructure development; to provide for an effective date; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 731 by Representative Hammett

AMENDMENT NO.1

On page 4, line 20, following "guaranteed by the state," and before "with" change "not" to "nor"

HOUSE BILL NO. 741—
BY REPRESENTATIVES DURAND AND BALDONE
AN ACT

To amend and reenact R.S. 47:305.10(F), relative to the sales and use tax; to provide for the exemption from taxation for certain repairs to property used in offshore areas; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 755—
BY REPRESENTATIVES DARTEZ AND JACK SMITH
AN ACT

To enact Part VI of Chapter 4 of Title 26 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 26:751, and Chapter 18 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:871 and 872, relative to alcohol abuse; to require the office of alcohol and tobacco control to require posting of signs on certain licensed premises; to provide for a toll-free number and referral services for alcohol abuse; to provide for a fine for failure to post; to require the office for addictive disorders of the Department of Health and Hospitals to provide a toll-free telephone service; to create a special fund in the state treasury known as the Alcohol Abuse Toll-Free Fund; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 762—
BY REPRESENTATIVE STRAIN
AN ACT

To amend and reenact R.S. 27:44(introductory paragraph)and to enact R.S. 27:44(15.1) and 44.1, relative to inspections for riverboats; to define a non-certificated vessel; to provide for the inspection of non-certificated vessels; to provide for alternatives to United States Coast Guard Certificates of Inspection; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 762 by Representative Strain

AMENDMENT NO.1

On page 3, line 8, change "Division" to "division"

HOUSE BILL NO. 799—
BY REPRESENTATIVE RICHMOND
AN ACT

To amend and reenact R.S. 14:90.3(F) and R.S. 27:3(14), (16), and (18), 27.1(C)(introductory paragraph), 29.2(B) and (D), 29.3(A) and (D), and 29.4(D) and to enact Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:501 through 536, relative to slot machine gaming at the eligible airport facility; to enact the New Orleans Airport Facility and Operation Economic Redevelopment and Gaming Control Act; to provide for applicability; to provide for definitions; to declare public policy; to provide for procedures for licensing of gaming at the eligible airport facility; to provide suitability criteria and conditions for licensing; to provide conditions with respect to licensing; to provide criteria for the slot machine gaming facility in the eligible airport facility; to provide for the powers and duties of the Louisiana Gaming Control Board; to provide for the powers and duties of the gaming division, office of state police; to provide limitations on the designated gaming area; to prohibit certain relationships; to

provide for certain crimes; to provide for penalties; to provide for appeals; to provide for the calling and conducting of an election regarding slot machine gaming; to provide for assistance for compulsive or problem gambling; to provide that the provisions of law regarding the uniform and compulsive problem gambling program and permits for nongaming suppliers, key and non-key gaming employees apply to licensees for eligible airport facility gaming; to authorize an airport authority tax; to provide for the allocation of funds from that tax; to provide with respect to the power of the airport authority; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 799 by Representative Richmond

AMENDMENT NO. 1

On page 2, line 25; and on page 3, lines 15, 21, and 29; and on page 4, lines 14, 16, 25, and 29; and on page 5, lines 9 and 18, change "503(10)" to "503"

AMENDMENT NO. 2

On page 3, line 8, change "503(11)" to "503"

AMENDMENT NO. 3

On page 14, line 11, change "503(3)" to "503"

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

DISAGREEMENT TO HOUSE BILL

June 14, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 558 by Representative LaBruzzo, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 14, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 569 by Representative Baudoin, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 14, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 741 by Representative Hutter, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 14, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 249 by Representative Frith, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Frith, Baylor and Triche.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 14, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 561 by Representative Lancaster, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Lancaster, K. Carter and Jack Smith.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 14, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 59 by Representative E. Guillory, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives E. Guillory, Pinac and Ritchie.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Motion to Make Special Order

Senator Jackson asked for and obtained a suspension of the rules for the purpose of making House Bill No. 654, which is on Third Reading and Final Passage, Special Order of the Day No. 1 on Thursday, June 16, 2005, immediately following the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

June 14, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 795—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:3201 through 3205 and 4301 through 4306, relative to contracts with the Board of Commerce and Industry and manufacturing establishments; and to provide for related matters.

HOUSE BILL NO. 420—

BY REPRESENTATIVE MARCHAND
AN ACT

To enact R.S. 47:297.5, relative to individual income tax credits; to provide a tax credit for the rehabilitation of residential structures in certain areas; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 635—

BY REPRESENTATIVE BADON
AN ACT

To enact R.S. 51:1787(A)(2)(d) and (C)(2)(c), relative to Enterprise Zones; to provide for tax credits for added value rubber manufacturing; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 888— (Substitute for House Bill No. 818 by Representative Jackson)

BY REPRESENTATIVE JACKSON
AN ACT

To amend and reenact R.S. 47:287.736, relative to the corporation income tax; to define real estate investment trust; to disallow the dividend paid deduction for certain real estate investment trusts; and to provide for related matters.

HOUSE BILL NO. 440—

BY REPRESENTATIVE FAUCHEUX AND SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 37:3390.3(A)(introductory paragraph) and to enact R.S. 37:3390.6(F), relative to the Addictive Disorders Practice Act; to provide for the imposition and collection of fees; and to provide for related matters.

HOUSE BILL NO. 627—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT
AN ACT

To enact R.S. 47:6020 through 6020.4, to establish the Angel Investor Tax Credit Program; to provide for the amount of the credit; to provide for qualifications for the credit; to provide for the implementation and administration of the program by the Department of Economic Development; to provide for definitions; to authorize penalties for providing false or fraudulent information; to require an annual report to the legislature; and to provide for related matters.

HOUSE BILL NO. 679—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, DORSEY, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOUIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DOVE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH, GRAY, GREENE, E. GUILLORY, HEBERT, HILL, HOPKINS, HUTTER, JEFFERSON, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARTINY, McDONALD, MCVEA, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROBIDEAUX, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 47:287.92(B), 287.93(A), 287.95(F)(2), 287.738(A), and 606(A)(3), to enact R.S. 47:287.94(H) and 287.738(F), and to repeal R.S. 47:287.71(A)(1) and (2), 287.73(C)(1), 287.95(E), and 287.750, relative to the corporation income tax; to provide for a deduction for interest and dividends; to provide for a single factor apportionment formula for corporation income and franchise tax purposes for certain businesses; to provide for apportionment of profits and losses from sales or exchanges of property not made in the regular course of business; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 684—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:6015(B), (C)(1) and (2), (D), (F)(introductory paragraph) and (3), (G), and (H)(1) and to enact R.S. 47:6015(C)(5)(a)(iv), (F)(4), and (I), relative to exemptions from state taxes; to provide relative to the research and development tax credit; to provide for an effective date; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE BILL NO. 420—

BY REPRESENTATIVE MARCHAND
AN ACT

To enact R.S. 47:297.5, relative to individual income tax credits; to provide a tax credit for the rehabilitation of residential structures in certain areas; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 440—

BY REPRESENTATIVE FAUCHEUX AND SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 37:3390.3(A)(introductory paragraph) and to enact R.S. 37:3390.6(F), relative to the Addictive Disorders Practice Act; to provide for the imposition and collection of fees; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 627—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
AND SENATORS HINES, BAJOIE, HEITMEIER, AND MOUNT
AN ACT

To enact R.S. 47:6020 through 6020.4, to establish the Angel Investor Tax Credit Program; to provide for the amount of the credit; to provide for qualifications for the credit; to provide for the implementation and administration of the program by the Department of Economic Development; to provide for definitions; to authorize penalties for providing false or fraudulent information; to require an annual report to the legislature; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 635—

BY REPRESENTATIVE BADON
AN ACT

To enact R.S. 51:1787(A)(2)(d) and (C)(2)(c), relative to Enterprise Zones; to provide for tax credits for added value rubber manufacturing; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 679—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, DORSEY, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDON, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DOVE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH, GRAY, GREENE, E. GUILLORY, HEBERT, HILL, HOPKINS, HUTTER, JEFFERSON, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROBIDEAUX, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON AND SENATORS HINES, BAJOIE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 47:287.92(B), 287.93(A), 287.95(F)(2), 287.738(A), and 606(A)(3), to enact R.S. 47:287.94(H) and 287.738(F), and to repeal R.S. 47:287.71(A)(1) and (2), 287.73(C)(1), 287.95(E), and 287.750, relative to the corporation income tax; to provide for a deduction for interest and dividends; to provide for a single factor apportionment formula for corporation income and franchise tax purposes for certain businesses; to provide for apportionment of profits and losses from sales or exchanges of property not made in the regular course of business; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 684—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:6015(B), (C)(1) and (2), (D), (F)(introductory paragraph) and (3), (G), and (H)(1) and to enact R.S. 47:6015(C)(5)(a)(iv), (F)(4), and (I), relative to exemptions

from state taxes; to provide relative to the research and development tax credit; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 795—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:3201 through 3205 and 4301 through 4306, relative to contracts with the Board of Commerce and Industry and manufacturing establishments; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 888— (Substitute for House Bill No. 818 by Representative Jackson)

BY REPRESENTATIVE JACKSON
AN ACT

To amend and reenact R.S. 47:287.736, relative to the corporation income tax; to define real estate investment trust; to disallow the dividend paid deduction for certain real estate investment trusts; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

June 15, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 128—

BY REPRESENTATIVE M. POWELL AND SENATOR CHEEK
A CONCURRENT RESOLUTION

To request the House Committee on Transportation, Highways and Public Works and the Senate Committee on Transportation, Highways and Public Works to meet and function as a joint committee to study and make recommendations to the legislature regarding the need for legislation to address the issue of aggressive driving.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 128—

BY REPRESENTATIVE M. POWELL AND SENATOR CHEEK
A CONCURRENT RESOLUTION

To request the House Committee on Transportation, Highways and Public Works and the Senate Committee on Transportation, Highways and Public Works to meet and function as a joint

committee to study and make recommendations to the legislature regarding the need for legislation to address the issue of aggressive driving.

The resolution was read by title. Senator Malone moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Ellington | Malone |
| Adley | Fields | Marionneaux |
| Amedee | Fontenot | Michot |
| Bajoie | Gautreaux B | Mount |
| Barham | Gautreaux N | Murray |
| Broome | Heitmeier | Nevers |
| Cain | Hollis | Schedler |
| Cravins | Jackson | Shepherd |
| Dardenne | Jones | Smith |
| Duplessis | Kostelka | Theunissen |
| Dupre | Lentini | Ullo |
| Total - 33 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|-----------|--------|
| Boasso | Cheek | Romero |
| Chaisson | McPherson | |
| Total - 5 | | |

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY C

Senator Chaisson, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

June 14, 2005

To the President and Members of the Senate:

I am directed by your Committee on Judiciary C to submit the following report:

HOUSE BILL NO. 228—

BY REPRESENTATIVE JEFFERSON
AN ACT

To amend and reenact Code of Criminal Procedure Articles 270(A) and 271(A) and (B), relative to bail in extradition cases; to provide with respect to bail in extradition cases; to provide with respect to eligibility; to provide for a contradictory hearing in certain cases; to prohibit bail once a warrant is issued; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 663—

BY REPRESENTATIVES GLOVER, BAYLOR, BOWLER, BRUCE, BURRELL, AND JACK SMITH
AN ACT

To enact R.S. 15:572.8, relative to the wrongful conviction and imprisonment; to create an application process for compensation for wrongful conviction and imprisonment; to provide for

compensation; to create the Innocence Compensation Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for the funding of annuity contracts in certain circumstances; to provide procedures for filing an application; to provide for the period of time in which the application shall be filed; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 692—

BY REPRESENTATIVE WOOTON
AN ACT

To enact Code of Criminal Procedure Article 336.2, relative to operating a vehicle while intoxicated; to require an ignition interlock device as a condition of release on bail for certain persons arrested for certain alcohol-related driving offenses; to provide for procedures; to provide for waiver of this requirement by courts in certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 711—

BY REPRESENTATIVE MORRELL
AN ACT

To enact R.S. 40:2533(C), relative to personnel files of law enforcement officers; to require certain complaints involving domestic abuse made against an officer to be expunged from his file; to define applicable ordinances and statutes for which expungement is available; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JOEL T. CHAISSON II

REPORT OF COMMITTEE ON

INSURANCE

Senator Cain, Chairman on behalf of the Committee on Insurance, submitted the following report:

June 15, 2005

To the President and Members of the Senate:

I am directed by your Committee on Insurance to submit the following report:

HOUSE BILL NO. 36—

BY REPRESENTATIVE FARRAR
AN ACT

To enact R.S. 22:215.12, relative to health insurance; to require health insurance policies, contracts, and plans to provide coverage for colorectal cancer screening; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 69—

BY REPRESENTATIVES TUCKER, SCALISE, AND WALSWORTH
AN ACT

To amend and reenact R.S. 22:1425(A), (B), and (C)(3) and (5) and to repeal Section 2 of Act 770 of the 2004 Regular Session, relative to automobile liability insurance; to provide for military personnel; to provide for discounts; to provide for premium tax credits; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 509—

BY REPRESENTATIVE TRICHE

AN ACT

To enact R.S. 32:853(A)(1)(e), relative to motor vehicle operating records; to provide relative to offenses included on an individual's operating record; to prohibit certain offenses from appearing on an individual's operating record; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 574—

BY REPRESENTATIVE BARROW

AN ACT

To amend and reenact R.S. 22:11.1(A)(3), (5), and (8) and (B)(1) and (2) and to enact R.S. 22:11.1(D) and (E), relative to health insurance; to provide for definitions; to provide relative to credentialing and recredentialing of health care providers by health insurance issuers; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 689—

BY REPRESENTATIVE WALSWORTH

AN ACT

To amend and reenact R.S. 22:1244(A)(3) and to enact R.S. 22:1244(C), relative insurance fraud; to provide for automobile insurance fraud; to provide for restitution; to provide for civil right of action; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 882 — (Substitute for House Bill No. 566 by Representative R. Carter)

BY REPRESENTATIVE R. CARTER

AN ACT

To enact R.S. 22:2004.3, relative to health maintenance organizations; to provide with respect to coverage of certain services legally performed by chiropractors; to provide relative to discriminatory terminology; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JAMES DAVID CAIN
Chairman

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

Senator Cain asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 36—

BY REPRESENTATIVE FARRAR

AN ACT

To enact R.S. 22:215.12, relative to health insurance; to require health insurance policies, contracts, and plans to provide coverage for colorectal cancer screening; and to provide for related matters.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 69—

BY REPRESENTATIVES TUCKER, SCALISE, AND WALSWORTH

AN ACT

To amend and reenact R.S. 22:1425(A), (B), and (C)(3) and (5) and to repeal Section 2 of Act 770 of the 2004 Regular Session, relative to automobile liability insurance; to provide for military

personnel; to provide for discounts; to provide for premium tax credits; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 69 by Representative Tucker

AMENDMENT NO. 1

On page 2, delete lines 4 and 5 in their entirety and insert in lieu thereof the following: "amount equal to the discount actually provided. To the extent an insurer's credit authorized in this Section exceeds the insurer's premium tax"

On motion of Senator Cain, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 228—

BY REPRESENTATIVE JEFFERSON

AN ACT

To amend and reenact Code of Criminal Procedure Articles 270(A) and 271(A) and (B), relative to bail in extradition cases; to provide with respect to bail in extradition cases; to provide with respect to eligibility; to provide for a contradictory hearing in certain cases; to prohibit bail once a warrant is issued; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 509—

BY REPRESENTATIVE TRICHE

AN ACT

To enact R.S. 32:853(A)(1)(e), relative to motor vehicle operating records; to provide relative to offenses included on an individual's operating record; to prohibit certain offenses from appearing on an individual's operating record; and to provide for related matters.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 574—

BY REPRESENTATIVE BARROW

AN ACT

To amend and reenact R.S. 22:11.1(A)(3), (5), and (8) and (B)(1) and (2) and to enact R.S. 22:11.1(D) and (E), relative to health insurance; to provide for definitions; to provide relative to credentialing and recredentialing of health care providers by health insurance issuers; and to provide for related matters.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 663—

BY REPRESENTATIVES GLOVER, BAYLOR, BOWLER, BRUCE, BURRELL, AND JACK SMITH

AN ACT

To enact R.S. 15:572.8, relative to the wrongful conviction and imprisonment; to create an application process for compensation for wrongful conviction and imprisonment; to provide for compensation; to create the Innocence Compensation Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for the funding of annuity contracts in certain circumstances; to provide procedures for filing an application; to provide for the period of time in which the application shall be filed; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 663 by Representative Glover

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 15:572.8" and before the comma "insert "and Code of Civil Procedure Article 87" and after "to" and before "wrongful" delete "the"

AMENDMENT NO. 2

On page 1, line 8, after the semicolon" and before "and" insert "to provide with respect to venue;"

AMENDMENT NO. 3

On page 1, line 11, after "\$572.8" change "Application" to "Compensation for wrongful conviction and imprisonment; application"

AMENDMENT NO. 4

On page 1, line 17, after "vacated" delete the remainder of the line and insert in lieu thereof a semicolon and "and"

AMENDMENT NO. 5

On page 1, at the beginning of line 18, add "(3) The"

AMENDMENT NO. 6

On page 2, line 5, after "All" delete the remainder of the line and delete line 6 in its entirety and insert in lieu thereof:

"applications for compensation as provided in this Section shall be filed in the Nineteenth Judicial District Court, hereinafter referred to as "the court", and shall be allotted to the civil division as provided by Code of Civil Procedure Article 253.1 and applicable rules of that court. The"

AMENDMENT NO. 7

On page 2, delete line 7 and insert "court shall render"

AMENDMENT NO. 8

On page 2, line 9, after "provisions of" and before the period, change "the Administrative Procedure Act" to "this Section and shall be tried by the judge alone" and at the end of line 9 and the beginning of line 10, change "Nineteenth Judicial District Court-Civil Division" to "court"

AMENDMENT NO. 9

On page 2, line 13, after "fact," delete the remainder of the line and on line 14, change "Division decides" to "the court determines"

AMENDMENT NO. 10

On page 2, line 16, after "due" and before the comma, insert "in accordance with the provisions of this Section"

AMENDMENT NO. 11

On page 3, at the end of line 13, change "Aid is" to "Aid shall be"

AMENDMENT NO. 12

On page 4, line 13, after "the" and before "shall" change "Nineteenth Judicial District Court-Civil Division" to "court"

AMENDMENT NO. 13

On page 4, at the beginning of line 27, change "Nineteenth Judicial District Court-Civil Division" to "court"

AMENDMENT NO. 14

On page 5, between lines 13 and 14, add the following:
"Section 2. Code of Civil Procedure Article 87 is hereby enacted to read as follows:

Art. 87. Action involving application for compensation for wrongful conviction and imprisonment

An application for compensation based upon wrongful conviction and imprisonment filed pursuant to R.S. 15:572.8 shall be

brought in the parish of East Baton Rouge, Nineteenth Judicial District Court."

AMENDMENT NO. 15

On page 5, line 14, change "Section 2." to "Section 3."

On motion of Senator Chaisson, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 689—

BY REPRESENTATIVE WALSWORTH

AN ACT

To amend and reenact R.S. 22:1244(A)(3) and to enact R.S. 22:1244(C), relative insurance fraud; to provide for automobile insurance fraud; to provide for restitution; to provide for civil right of action; and to provide for related matters.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 692—

BY REPRESENTATIVE WOOTON

AN ACT

To enact Code of Criminal Procedure Article 336.2, relative to operating a vehicle while intoxicated; to require an ignition interlock device as a condition of release on bail for certain persons arrested for certain alcohol-related driving offenses; to provide for procedures; to provide for waiver of this requirement by courts in certain circumstances; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 711—

BY REPRESENTATIVE MORRELL

AN ACT

To enact R.S. 40:2533(C), relative to personnel files of law enforcement officers; to require certain complaints involving domestic abuse made against an officer to be expunged from his file; to define applicable ordinances and statutes for which expungement is available; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 882— (Substitute for House Bill No. 566 by Representative R. Carter)

BY REPRESENTATIVE R. CARTER

AN ACT

To enact R.S. 22:2004.3, relative to health maintenance organizations; to provide with respect to coverage of certain services legally performed by chiropractors; to provide relative to discriminatory terminology; and to provide for related matters.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Marionneaux asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Resolutions
to be Adopted, Subject to Call**

The following Senate Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 53 be called from the Calendar at this time.

SENATE RESOLUTION NO. 53—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Sergeant Taft V. Williams upon his death in Operation Iraqi Freedom.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

Rules Suspended

Senator Kostelka asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

SENATE BILL NO. 70—

BY SENATOR KOSTELKA AND REPRESENTATIVE DOWNS AND SENATOR ELLINGTON AND REPRESENTATIVES ERDEY, KATZ, THOMPSON AND WALSWORTH

AN ACT

To amend and reenact R.S. 32:387.17(A)(5), relative to special permits; to extend authorization for issuance of special permits for trucks hauling containerized cargo in international trade intended for exportation within a fifty-mile radius of the Port of Ouachita; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Engrossed Senate Bill No. 70 by Senator Kostelka

AMENDMENT NO. 1

On page 1, line 17, after "(5)" delete the remainder of the line and delete line 1 from page 2 and insert the following: "The authority of the secretary to issue this special"

Senator Kostelka moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Ellington | Malone |
| Adley | Fields | Marionneaux |
| Amedee | Fontenot | Michot |
| Bajoie | Gautreaux B | Mount |
| Barham | Gautreaux N | Murray |
| Broome | Heitmeier | Nevers |
| Cain | Hollis | Schedler |
| Cravins | Jackson | Shepherd |
| Dardenne | Jones | Smith |
| Duplessis | Kostelka | Theunissen |
| Dupre | Lentini | Uilo |

Total - 33

NAYS

Total - 0

ABSENT

Boasso
Chaisson

Cheek
McPherson

Romero

Total - 5

The Chair declared the amendments proposed by the House were concurred in. Senator Kostelka moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 107—

BY SENATOR DUPLESSIS

AN ACT

To enact R.S. 6:319, relative to financial institutions; to authorize banks to use additional FDIC insurance coverage to insure excess public funds on deposit; to provide that such funds are considered fully collateralized; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 107 by Senator Duplessis

AMENDMENT NO. 1

On page 1, delete line 7 in its entirety and insert the following:

"§319. Public funds deposits"

AMENDMENT NO. 2

On page 1, line 15, after "coverage" delete the period "." and insert the following: "and state requirements that state funds be deposited in financial institutions domiciled or having a branch in Louisiana."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pinac to Reengrossed Senate Bill No. 107 by Senator Duplessis

AMENDMENT NO. 1

Delete Amendment No. 2 of the set of amendments proposed by the House Committee on Commerce and adopted by the House of Representatives on June 6, 2005.

AMENDMENT NO. 2

On page 1, at the end of line 15, insert the following: "The total dollar amount of state funds received pursuant to the provisions of this Section by a bank, savings bank, or savings and loan association, domiciled or having a branch in Louisiana, must be maintained by that financial institution."

Senator Duplessis moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Ellington | Marionneaux |
| Adley | Fields | Michot |
| Amedee | Fontenot | Mount |
| Bajoie | Gautreaux B | Murray |
| Barham | Gautreaux N | Nevers |
| Broome | Heitmeier | Shepherd |
| Cain | Hollis | Smith |

| | | |
|------------|----------|------------|
| Cravins | Jackson | Theunissen |
| Dardenne | Kostelka | Ullo |
| Duplessis | Lentini | |
| Dupre | Malone | |
| Total - 31 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|-----------|----------|
| Boasso | Jones | Schedler |
| Chaisson | McPherson | |
| Cheek | Romero | |
| Total - 7 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Duplessis moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 151—

BY SENATORS N. GAUTREAUX, DUPRE, LENTINI, MURRAY, ROMERO, MCPHERSON, NEVERS AND SMITH AND REPRESENTATIVES ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BAYLOR, BOWLER, BRUCE, BURRELL, R. CARTER, CAZAYOUX, CRANE, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FRITH, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, T. POWELL, M. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SMILEY, JACK SMITH, JANE SMITH, JOHN SMITH, GARY SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE AND WRIGHT

AN ACT

To enact Part III-A of Chapter 1 of Title 29 of the Louisiana Revised Statutes of 1950, comprised of R.S. 29:311 through 319, relative to military, naval, and veterans' affairs; to provide certain exemptions from some terms and conditions of certain contracts entered into by active duty military personnel, and members of the Armed Forces Reserve and Louisiana National Guard who are activated pursuant to an executive order of the president of the United States, act of congress, or state law; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 151 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 12, change "SERVICE MEMBERS" to "SERVICEMEMBERS"

AMENDMENT NO. 2

On page 5, at the beginning of line 10, after the open quotation, change "Service members" to "Servicemembers"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 151 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, lines 2 and 10, following "Chapter" and before "of title" change "1" to "2"

Senator N. Gautreaux moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Dupre | Lentini |
| Adley | Ellington | Malone |
| Amedee | Fields | Marionneaux |
| Bajoie | Fontenot | Michot |
| Barham | Gautreaux B | Mount |
| Broome | Gautreaux N | Murray |
| Cain | Heitmeier | Nevers |
| Cheek | Hollis | Shepherd |
| Cravins | Jackson | Smith |
| Dardenne | Jones | Theunissen |
| Duplessis | Kostelka | Ullo |
| Total - 33 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|-----------|----------|
| Boasso | McPherson | Schedler |
| Chaisson | Romero | |
| Total - 5 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator N. Gautreaux moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 188—

BY SENATORS FONTENOT, BAJOIE, HINES AND MOUNT AND REPRESENTATIVES ALARIO, HAMMETT AND SALTER

AN ACT

To amend and reenact R.S. 30:2076.2(A)(3), (B)(3), (C)(1), and (D), relative to violations of the Louisiana Pollutant Discharge Elimination System; to authorize the costs of investigation and prosecution be included in the criminal penalties; to change such violations from a misdemeanor offense to a felony offense; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 755 by Representative Dartez

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 26:934(3), and to"

AMENDMENT NO. 2

On page 1, line 10, after "Fund;" insert "to provide for certification requirements for a responsible vendor;"

AMENDMENT NO. 3

On page 1, line 12, after "Section 1." and before "Part" insert "R.S. 26:934(3) is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 2, between lines 2 and 3 insert the following:

* * *

§934. Requirements for certification
In order to qualify for and maintain certification as a responsible vendor, the vendor shall comply with all of the following:

* * *

(3) ~~Attendance at a refresher~~ **Successful completion of a server training course** by each server at least once every ~~two~~ **four** years as scheduled by any approved provider, which course shall include the dissemination of new information relating to the program subject areas as set forth in R.S. 26:933.

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Damico to Reengrossed Senate Bill No. 188 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 4, delete "investigation and"

AMENDMENT NO. 2

On page 2, line 1, delete "**A person found guilty of a second and subsequent**" and on line 2, delete "**violation**" and insert in lieu thereof "If a conviction of a person is for a violation committed after a first conviction of such person"

AMENDMENT NO. 3

On page 2, line 2, before "shall" insert "he"

AMENDMENT NO. 4

On page 2, line 11, delete "**A person found guilty of a second and subsequent**" and on line 12, delete "**violation**" and insert in lieu thereof "If a conviction of a person is for a violation committed after a first conviction of such person"

AMENDMENT NO. 5

On page 2, line 12, before "shall" insert "he"

AMENDMENT NO. 6

On page 2, delete line 30 in its entirety and on page 3, delete line 1 in its entirety and insert in lieu thereof "If a conviction of a person is for a violation committed after a first conviction of such person under this Paragraph, he shall"

AMENDMENT NO. 7

On page 3, line 15, delete "**A person found guilty of a second and violation**" and insert in lieu thereof "If a conviction of a person is for a violation committed after a first conviction of such person"

AMENDMENT NO. 8

On page 3, line 16, before "shall" insert "he"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Reengrossed Senate Bill No. 188 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 4, delete "and prosecution"

AMENDMENT NO. 2

On page 1, lines 15 and 16, delete "**, together with the costs of prosecution**"

AMENDMENT NO. 3

On page 2, line 3, "**together with the costs of prosecution**"

AMENDMENT NO. 4

On page 2, line 8 and 9, delete "**together with the costs of prosecution**"

AMENDMENT NO. 5

On page 2, line 13 and 14, delete "**together with the costs of prosecution**"

AMENDMENT NO. 6

On page 2, line 24, delete "**, together with the costs of prosecution**"

AMENDMENT NO. 7

On page 2, line 28, delete "**together with the costs of prosecution**"

AMENDMENT NO. 8

On page 3, lines 2 and 3, delete "**together with the costs of prosecution**"

AMENDMENT NO. 9

On page 3, lines 12 and 13, delete "**, together with the costs of prosecution**"

AMENDMENT NO. 10

On page 3, line 17, delete "**together with the costs of prosecution**"

Senator Fontenot moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Fontenot | Michot |
| Amedee | Gautreaux B | Mount |
| Bajoie | Gautreaux N | Murray |
| Barham | Heitmeier | Nevers |
| Cain | Hollis | Schedler |
| Cheek | Jackson | Shepherd |
| Cravins | Jones | Smith |
| Dardenne | Kostelka | Theunissen |
| Dupre | Lentini | Ullo |
| Ellington | Malone | |
| Fields | Marionneaux | |
| Total - 31 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|-----------|--------|
| Adley | Chaisson | Romero |
| Boasso | Duplessis | |
| Broome | McPherson | |
| Total - 7 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Fontenot moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 196—

BY SENATOR BARHAM AND REPRESENTATIVE GREENE AND COAUTHORED BY SENATORS KOSTELKA, DUPRE, ROMERO, BOASSO AND SMITH AND REPRESENTATIVES ANSARDI, JOHNS, LABRUZZO, ROBIDEAUX, WALKER, BALDONE, SCALISE AND THOMPSON

AN ACT

To amend and reenact Civil Code Article 466, relative to immovables; to provide relative to the definition of component parts of immovables; to provide relative to which items are considered permanently attached parts; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Conforming amendments proposed by Representative Greene to Reengrossed Senate Bill No. 196 by Senator Barham

AMENDMENT NO. 1

On page 3, at the end of line 2 delete "So. 2d, 2005" and insert: "— So. 2d, 2005"

AMENDMENT NO. 2

On page 3, delete line 3 and insert: "WL 737481 (La.) 2004-0473 (La. 4/1/05)."

Senator Barham moved to concur in the amendments proposed by the House.

June 15, 2005

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Fontenot | Michot |
| Amedee | Gautreaux B | Mount |
| Bajoie | Gautreaux N | Murray |
| Barham | Heitmeier | Nevers |
| Broome | Hollis | Schedler |
| Cain | Jackson | Shepherd |
| Cheek | Jones | Smith |
| Dardenne | Kostelka | Theunissen |
| Dupre | Lentini | Ullo |
| Ellington | Malone | |
| Fields | Marionneaux | |
| Total - 31 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|-----------|--------|
| Adley | Cravins | Romero |
| Boasso | Duplessis | |
| Chaisson | McPherson | |
| Total - 7 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Barham moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 205—
BY SENATOR DUPLESSIS**AN ACT**

To enact Chapter 51 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3071 through 3076, relative to database security; to provide for legislative findings; to provide definitions; to provide for disclosure upon breach in the security of personal information by agencies and persons; to provide for delayed notification in the event of certain criminal investigations; to provide for means of notification; to provide for the recovery of damages; to provide for financial institution compliance in certain cases; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pinac to Reengrossed Senate Bill No. 205 by Senator Duplessis

AMENDMENT NO. 1

On page 5, delete lines 7 through 10 in their entirety and insert the following:

"A financial institution that is subject to and in compliance with the Federal Interagency Guidance on Response Programs for Unauthorized Access to Customer Information and Customer Notice, issued on March 7, 2005, by the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency and the Office of Thrift Supervision, and any revisions, additions, or substitutions relating to said interagency guidance, shall be deemed to be in compliance with this Chapter."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Reengrossed Senate Bill No. 205 by Senator Duplessis

AMENDMENT NO. 1

On page 4, after line 29, insert the following:

"G. Notification under this title is not required if after a reasonable investigation the person or business determines that there is no reasonable likelihood of harm to customers."

AMENDMENT NO. 2

On page 5, between lines 10 and 11, insert the following:

"§3077. Rulemaking

The provisions of this Chapter shall not take effect until rules are promulgated by the attorney general's office."

Senator Duplessis moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Ellington | Malone |
| Amedee | Fields | Marionneaux |
| Bajoie | Fontenot | Michot |
| Barham | Gautreaux B | Mount |
| Broome | Gautreaux N | Murray |
| Cain | Heitmeier | Nevers |
| Cheek | Hollis | Shepherd |
| Cravins | Jackson | Smith |
| Dardenne | Jones | Theunissen |
| Duplessis | Kostelka | Ullo |
| Dupre | Lentini | |
| Total - 32 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|-----------|----------|
| Adley | Chaisson | Romero |
| Boasso | McPherson | Schedler |
| Total - 6 | | |

The Chair declared the amendments proposed by the House were rejected. Senator Duplessis moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

Senator N. Gautreaux in the Chair**SENATE BILL NO. 212—**

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 13:3049(B)(2)(a), relative to judicial procedure; to provide relative to civil jury trials; to require certain filing fees for such trials; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 212 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, at the end of line 16, delete "sixty days"

Senator Marionneaux moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Ellington | Marionneaux |
| Amedee | Fields | Michot |
| Bajoie | Fontenot | Mount |
| Barham | Gautreaux B | Murray |
| Broome | Gautreaux N | Nevers |
| Cain | Heitmeier | Schedler |
| Cheek | Hollis | Shepherd |
| Cravins | Jackson | Smith |
| Dardenne | Jones | Theunissen |
| Duplessis | Kostelka | Ullo |
| Dupre | Lentini | |
| Total - 32 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|----------|-----------|
| Adley | Chaisson | McPherson |
| Boasso | Malone | Romero |
| Total - 6 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Marionneaux moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 239—

BY SENATOR ULLO AND REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 17:24.10 and 3995(C), relative to charter schools; to authorize all types of charter schools to apply directly to the state Department of Education to participate in the LA 4 program; to provide with regard to the compliance of a charter school with the terms of a grant; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Engrossed Senate Bill No. 239 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 2, after "R.S." and before "and" change "17:24.10" to "17:24:10(A)"

AMENDMENT NO. 2

On page 1 delete line 3 in its entirety and at the beginning of line 4 delete "participate in the LA 4 program;" and insert in lieu thereof the following: "charter schools to apply for and receive funding directly from certain entities, including funding from the state Department of Education for LA 4 classes;"

AMENDMENT NO. 3

On page 1, line 7, after "R.S." and before "and" change "24.10" to "17:24.10(A)"

Senator Ullo moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Fontenot | Michot |
| Amedee | Gautreaux B | Mount |
| Bajoie | Gautreaux N | Murray |
| Barham | Heitmeier | Nevers |
| Cain | Hollis | Schedler |
| Cheek | Jackson | Shepherd |
| Dardenne | Jones | Smith |
| Duplessis | Kostelka | Theunissen |
| Dupre | Lentini | Ullo |
| Ellington | Malone | |
| Fields | Marionneaux | |
| Total - 31 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|-----------|--------|
| Adley | Chaisson | Romero |
| Boasso | Cravins | |
| Broome | McPherson | |
| Total - 7 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Ullo moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 271—

BY SENATORS MCPHERSON, BAJOIE, HINES AND MOUNT AND REPRESENTATIVES DORSEY, HAMMETT AND SALTER
AN ACT

To amend and reenact R.S. 14:403.2(E)(9)(a), and to enact R.S. 40:1300.51(2)(l) and (m), and Part VI-D of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2179 through 2179.1, and to repeal R.S. 37:2504(D) and (E), relative to direct service workers; to provide relative to the adult protection agency; to provide with respect to the confidentiality of case records; to provide for criminal history checks of direct service workers; to define direct service workers; to authorize the Department of Health and Hospitals to promulgate rules to maintain a registry of direct service workers; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 278—

BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 38:3087.191, the introductory paragraph of R.S. 38:3087.192(B) and (C), 3087.193(B), 3087.194(B), 3087.196, 3087.197(A)(2) and (8), 3087.198(A)(6), 3087.199(A)(1), (B)(1) and (2), (C)(1), (D)(1), 3087.204, and 3087.205(A) and (B), relative to the Washington Parish Reservoir District; to provide for the creation, maintenance, and operation of a single reservoir in the district; to provide for reimbursement of the amount actually paid for property returned to a prior landowner; to limit the authority of the district to expropriate property; to provide for payment to owners whose property is subject to expropriation; to provide for terms for members of the board of commissioners of the district; to authorize agreements with landowners regarding building restrictions on non-submerged property; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 278 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 3, change "3087.197(A)(2) and (8)," to "3087.197(A)(2), (5), and (8) and (C),"

AMENDMENT NO. 2

On page 1, line 12, after "property;" and before "and" insert the following: "to provide relative to the district's relationship with the Louisiana Wildlife and Fisheries Commission;"

AMENDMENT NO. 3

On page 1, line 16, change "3087.197(A)(2) and (8)," to "3087.197(A)(2), (5), and (8) and (C),"

AMENDMENT NO. 4

On page 2, line 23, after "sell;" delete the remainder of the line and delete lines 24 through 26 in their entirety and at the beginning of line 27, delete "Election Code;"

AMENDMENT NO. 5

On page 3, line 9, after "upon" and before "payment" insert "a one-time"

AMENDMENT NO. 6

On page 4, line 3, after "residence" and before "by" delete "either"

AMENDMENT NO. 7

On page 4, delete line 4 in its entirety and insert the following: "and by providing a parcel of land equal in value to the"

AMENDMENT NO. 8

On page 4, line 6, after "owner" insert a period "." and delete the remainder of the line and delete lines 7 and 8 in their entirety

AMENDMENT NO. 9

On page 5, between line 20 and 21 add the following:

"(5) ~~Levy taxes~~ Issue bonds within the district, issue bonds, and incur indebtedness within the limitations prescribed by the Constitution of Louisiana and in the manner prescribed thereby.

* * *

AMENDMENT NO. 10

On page 5, between lines 26 and 27, add the following:

"C. The district may ~~incur debt for any one or more of its lawful purposes, issue in its name negotiable bonds or certificates of indebtedness evidencing such debt, and provide for the security and payment thereof as follows:~~

(1) ~~To issue certificates of indebtedness maturing within one year from date of issuance to evidence money borrowed in anticipation of current revenues for the administration, operation, construction, and maintenance costs and expenses of the district, which certificates shall be payable in principal and interest from any available income, revenues, fees, or taxes pledged to their payment by the district.~~

(2) ~~To issue bonds substantially in the manner set forth in Article VI of the Constitution of Louisiana, and other authority supplemental thereto, particularly Part III of Chapter 4 of Title 39 of the Louisiana Revised Statutes of 1950. Such bonds shall be payable from an ad valorem tax on all taxable property in the district sufficient to pay such bonds in principal and interest, if approved by vote of a majority in number of the qualified electors voting on the proposition at an election held for that purpose. Such bonds shall be issued in the manner provided by the law pursuant to which they are being issued, and the maximum interest rate for the bonds shall be that prescribed by such law. The bonds shall be issued in such amount or amounts as the board of commissioners shall determine. However, the principal amount of all such bonds outstanding as of the date of the issuance of any new bonds shall never exceed ten percent of the assessed valuation of the taxable property within the district, to be ascertained by the last assessment roll of record in Washington Parish.~~

(3) ~~The district shall have additional authority to levy taxes within the district under the provisions of Article VI, Section 32 of the Constitution of Louisiana, for the purpose of improving, operating, and maintaining its facilities, providing any such tax shall~~

first be approved at an election held for said purposes in accordance with the Louisiana Election Code.

(4) ~~The copy of any resolution levying a tax, certified by the secretary of the board of commissioners of said district, shall be transmitted to the tax assessor of Washington Parish on or before the first day of May of the first year in which the tax is to be assessed and collected, and it shall be the duty of the assessor to assess the tax and extend the same upon the tax rolls of the parish. The tax shall be collected by the sheriff and ex officio tax collector in the same manner as taxes levied by the parish. Taxes assessed shall constitute the same liens upon the property assessed, shall bear the same penalties, and collection shall be enforced in the same manner and at the same time as parish taxes."~~

Senator Nevers moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Ellington | Marionneaux |
| Adley | Fields | Michot |
| Amedee | Fontenot | Mount |
| Bajoie | Gautreaux B | Murray |
| Barham | Gautreaux N | Nevers |
| Broome | Heitmeier | Schedler |
| Cain | Hollis | Shepherd |
| Cheek | Jackson | Smith |
| Dardenne | Jones | Theunissen |
| Duplessis | Lentini | Ullo |
| Dupre | Malone | |
| Total - 32 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|----------|-----------|
| Boasso | Cravins | McPherson |
| Chaisson | Kostelka | Romero |
| Total - 6 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Nevers moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 292—

BY SENATORS HINES, CRAVINS, CAIN AND MURRAY AND REPRESENTATIVES FRITH, KLECKLEY, LAFONTA, PINAC, STRAIN, TRAHAN AND WADDELL

AN ACT

To amend and reenact Part IV of Title 4 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 4:251 and 252, and to enact R.S. 4:143(16), relative to racing; to provide for a horsemen's workers' compensation insurance program; to authorize the Horsemen's Benevolent and Protective Association to secure and provide coverage for the benefit of trainers and others licensed by the Louisiana State Racing Commission; to authorize the use of association assets and revenues as security for a reserve fund; to require each licensed trainer to have a certificate of workers' compensation insurance coverage; to prohibit admittance of a licensed trainer into any racing facility without a certificate of workers' compensation insurance coverage; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 292 by Senator Hines

AMENDMENT NO. 1

On page 3, delete lines 8 through 14 in their entirety and insert the following:

"No distribution shall be made until:

(a) Thirty days after the commissioner of insurance has received notice of the declaration thereof and has not within such period disapproved such distribution; and

(b) Thirty days after the owners of winning race horses are fully reimbursed the total net sum of monies that said owners would have received if purses and purse supplements had not been used for the establishment, operation, and administration of the insurance program authorized in this Part."

Senator Hines moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Ellington | Malone |
| Adley | Fields | Marionneau |
| Amedee | Fontenot | Michot |
| Bajoie | Gautreaux B | Mount |
| Barham | Gautreaux N | Murray |
| Broome | Heitmeier | Nevers |
| Cain | Hollis | Shepherd |
| Cheek | Jackson | Smith |
| Dardenne | Jones | Theunissen |
| Duplessis | Kostelka | Ullo |
| Dupre | Lentini | |
| Total - 32 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|-----------|----------|
| Boasso | Cravins | Romero |
| Chaisson | McPherson | Schedler |
| Total - 6 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Hines moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Mr. President in the Chair

Rules Suspended

Senator N. Gautreaux asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

SENATE BILL NO. 72—

BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact the introductory paragraph of R.S. 47:601(A) and 611 and to enact R.S. 47:601(D), relative to corporate franchise tax; to exclude from the taxable base of such tax the first one hundred thousand dollars of capital stock, surplus, undivided profits, and borrowed capital of a corporation; and to provide for related matters.

The bill was read by title. Senator N. Gautreaux moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Dupre | Malone |
| Adley | Ellington | Marionneau |
| Amedee | Fields | Michot |
| Bajoie | Fontenot | Mount |
| Barham | Gautreaux B | Murray |
| Broome | Gautreaux N | Nevers |
| Cain | Heitmeier | Schedler |
| Cheek | Jones | Smith |
| Dardenne | Kostelka | Theunissen |
| Duplessis | Lentini | Ullo |
| Total - 30 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|-----------|----------|
| Boasso | Hollis | Romero |
| Chaisson | Jackson | Shepherd |
| Cravins | McPherson | |
| Total - 8 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator N. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 183—

BY SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 47:6019(A)(1), relative to tax credits for historic structures; to increase the credit; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 183 by Senator Bajoie

AMENDMENT NO. 1

On page 1, line 5, following "hereby" and before "to" change "enacted" to "amended and reenacted"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Bajoie moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Ellington | Marionneau |
| Adley | Fields | Michot |
| Amedee | Fontenot | Mount |
| Bajoie | Gautreaux B | Murray |
| Barham | Gautreaux N | Nevers |
| Broome | Heitmeier | Schedler |
| Cain | Hollis | Shepherd |
| Cheek | Jackson | Smith |

June 15, 2005

| | | |
|------------|----------|------------|
| Cravins | Jones | Theunissen |
| Dardenne | Kostelka | Ullo |
| Duplessis | Lentini | |
| Dupre | Malone | |
| Total - 34 | | |

NAYS

Total - 0

ABSENT

| | |
|-----------|-----------|
| Boasso | McPherson |
| Chaisson | Romero |
| Total - 4 | |

The Chair declared the amended bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of taking up at this time.

House Concurrent Resolutions on Second Reading Reported by Committees

The following House Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 79— BY REPRESENTATIVE BRUCE

A CONCURRENT RESOLUTION

To request the Louisiana Commission on Law Enforcement and Administration of Criminal Justice to study whether juvenile correctional officers should be included in the definition of a peace officer for purposes of the Peace Officers Standards and Training Law and to report its findings to the speaker of the House of Representatives and the president of the Senate no later than February 1, 2006, and to create the Juvenile Correctional Officers Task Force to assist in this study.

Reported favorably by the Committee on Judiciary B.

The resolution was read by title. Senator Jackson moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Dupre | Lentini |
| Adley | Ellington | Malone |
| Amedee | Fields | Michot |
| Bajoie | Fontenot | Mount |
| Barham | Gautreaux B | Murray |
| Broome | Gautreaux N | Nevers |
| Cain | Heitmeier | Schedler |
| Cheek | Hollis | Shepherd |
| Cravins | Jackson | Smith |
| Dardenne | Jones | Theunissen |
| Duplessis | Kostelka | Ullo |
| Total - 33 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|-------------|--------|
| Boasso | Marionneaux | Romero |
| Chaisson | McPherson | |
| Total - 5 | | |

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Senator Ellington in the Chair

HOUSE CONCURRENT RESOLUTION NO. 158—

BY REPRESENTATIVE GALLOT

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations to the legislature on the duties of notaries public with regard to registry and recordation of their acts and the means by which the identification of notaries and witnesses to their acts may be assured for the public benefit under the Louisiana public records doctrine.

Reported favorably by the Committee on Judiciary A.

The resolution was read by title. Senator Kostelka moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Ellington | Malone |
| Amedee | Fields | Michot |
| Bajoie | Fontenot | Mount |
| Barham | Gautreaux B | Murray |
| Broome | Gautreaux N | Nevers |
| Cain | Heitmeier | Schedler |
| Cheek | Hollis | Shepherd |
| Cravins | Jackson | Smith |
| Dardenne | Jones | Theunissen |
| Duplessis | Kostelka | Ullo |
| Dupre | Lentini | |
| Total - 32 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|-------------|-----------|
| Adley | Chaisson | McPherson |
| Boasso | Marionneaux | Romero |
| Total - 6 | | |

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 162—

BY REPRESENTATIVE CRAVINS

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections, office of youth services, together with the local courts exercising juvenile jurisdiction and local children and youth planning boards, to study jointly the needs of and resources available to youth requiring out-of-home placement in Region 5, consisting of the Fifteenth, Sixteenth, and Twenty-Seventh Judicial Districts and to make recommendations for changes in the laws, rules, programs, and procedures to achieve more effective and cost efficient delivery of juvenile justice services.

Reported favorably by the Committee on Judiciary B.

The resolution was read by title. Senator Cravins moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Dupre | Lentini |
| Adley | Ellington | Malone |
| Amedee | Fields | Michot |
| Bajoie | Fontenot | Mount |
| Barham | Gautreaux B | Murray |
| Broome | Gautreaux N | Nevers |
| Cain | Heitmeier | Schedler |
| Cheek | Hollis | Shepherd |
| Cravins | Jackson | Smith |
| Dardenne | Jones | Theunissen |
| Duplessis | Kostelka | Ullo |
| Total - 33 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|-------------|--------|
| Boasso | Marionneaux | Romero |
| Chaisson | McPherson | |
| Total - 5 | | |

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Rules Suspended

Senator N. Gautreaux asked for and obtained a suspension of the rules for the purpose of taking up at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

HOUSE BILL NO. 6—
BY REPRESENTATIVES GARY SMITH, BRUCE, CROWE, DOERGE, FRITH, GEYMAN, KLECKLEY, LAFONTA, PINAC, T. POWELL, RITCHIE, SHEPHERD, STRAIN, TRAHAN, WADDELL, WALSWORTH, WHITE, SCHNEIDER, AND THOMPSON
AN ACT

To enact R.S. 29:418.1, relative to the suspension or termination of cellular phone contracts during service in the uniformed services; to authorize the termination of the contract without an early termination fee; to authorize the suspension of a cellular phone contract without imposition of any activation fee; to require certain notices; and to provide for related matters.

The bill was read by title. Senator N. Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Ellington | McPherson |
| Adley | Fields | Michot |
| Amedee | Fontenot | Mount |
| Bajoie | Gautreaux B | Murray |
| Barham | Gautreaux N | Nevers |
| Broome | Heitmeier | Schedler |
| Cain | Hollis | Shepherd |
| Cheek | Jackson | Smith |
| Cravins | Jones | Theunissen |
| Dardenne | Kostelka | Ullo |
| Duplessis | Lentini | |
| Dupre | Malone | |
| Total - 34 | | |

NAYS

Total - 0

ABSENT

| | |
|-----------|-------------|
| Boasso | Marionneaux |
| Chaisson | Romero |
| Total - 4 | |

The Chair declared the bill was passed. The title was read and adopted. Senator N. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 33—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 40:4(A)(2)(b)(i) and (ii), relative to the treatment of infectious biomedical waste; to require the certification and testing of all equipment used to treat infectious biomedical waste; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 71—
BY REPRESENTATIVES BRUCE AND PINAC
AN ACT

To enact R.S. 37:3393(H)(7), relative to real estate appraisers; to provide for an exemption from license requirements; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Ellington | Malone |
| Adley | Fields | McPherson |
| Amedee | Fontenot | Michot |
| Bajoie | Gautreaux B | Mount |
| Barham | Gautreaux N | Murray |
| Broome | Heitmeier | Nevers |
| Cain | Hollis | Schedler |
| Cheek | Jackson | Shepherd |
| Dardenne | Jones | Smith |
| Duplessis | Kostelka | Theunissen |
| Dupre | Lentini | Ullo |
| Total - 33 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|-------------|--------|
| Boasso | Cravins | Romero |
| Chaisson | Marionneaux | |
| Total - 5 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Hollish moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 72—
BY REPRESENTATIVES BRUCE AND MONTGOMERY
AN ACT

To enact R.S. 37:776(D), relative to dentists; to require the board to promulgate rules to expunge first-time advertising offenses from a licensee's record; and to provide for related matters.

The bill was read by title. Senator Adley moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Ellington | McPherson |
| Adley | Fields | Michot |
| Amedee | Fontenot | Mount |
| Bajoie | Gautreaux B | Murray |
| Barham | Gautreaux N | Nevers |
| Broome | Heitmeier | Schedler |
| Cain | Hollis | Shepherd |
| Cheek | Jackson | Smith |
| Cravins | Jones | Theunissen |
| Dardenne | Kostelka | Ullo |
| Duplessis | Lentini | |
| Dupre | Malone | |
| Total - 34 | | |

NAYS

Total - 0

ABSENT

| | |
|-----------|-------------|
| Boasso | Marionneaux |
| Chaisson | Romero |
| Total - 4 | |

The Chair declared the bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 115—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact Code of Civil Procedure Article 251(A) and R.S. 44:32(C)(1)(c), relative to public records; to prohibit the use of privately owned copying, reproducing, scanning, or other such imaging equipment in the copying of public records within the offices of the clerk of court; and to provide for related matters.

The bill was read by title. Senator Fields moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Fields | Michot |
| Amedee | Fontenot | Murray |
| Barham | Gautreaux B | Nevers |
| Broome | Gautreaux N | Romero |
| Cain | Heitmeier | Smith |
| Cheek | Hollis | Theunissen |
| Cravins | Jones | Ullo |
| Dupre | Marionneaux | |
| Ellington | McPherson | |
| Total - 25 | | |

NAYS

| | | |
|-----------|----------|----------|
| Dardenne | Malone | Shepherd |
| Jackson | Mount | |
| Lentini | Schedler | |
| Total - 7 | | |

ABSENT

| | | |
|-----------|----------|-----------|
| Adley | Boasso | Duplessis |
| Bajoie | Chaisson | Kostelka |
| Total - 6 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Adley asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on House Bill No. 115. He had intended to vote yea on the bill. He asked that the Official Journal so state.

Personal Privilege

Senator Mount asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on House Bill No. 115. She voted nay on the bill and had intended to vote yea. She asked that the Official Journal so state.

HOUSE BILL NO. 121—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 40:2010.7 and to enact R.S. 40:2010.11, relative to nursing home and long-term care facility residents and patients; to provide for mandatory criminal background checks on those seeking admittance to a nursing home or long-term care residential facility; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|------------|-------------|----------|
| Adley | Dardenne | Murray |
| Barham | Gautreaux B | Schedler |
| Boasso | Gautreaux N | |
| Cravins | McPherson | |
| Total - 10 | | |

NAYS

| | | |
|---------------|-----------|------------|
| Mr. President | Fontenot | Michot |
| Amedee | Heitmeier | Mount |
| Broome | Hollis | Nevers |
| Cain | Jackson | Romero |
| Cheek | Jones | Shepherd |
| Dupre | Kostelka | Smith |
| Ellington | Lentini | Theunissen |
| Fields | Malone | |
| Total - 23 | | |

ABSENT

| | | |
|-----------|-------------|------|
| Bajoie | Duplessis | Ullo |
| Chaisson | Marionneaux | |
| Total - 5 | | |

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator McPherson, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

Personal Privilege

Senator Romero asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 121. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

Personal Privilege

Senator B. Gautreaux asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 121. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Mr. President in the Chair

HOUSE BILL NO. 125—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 37:751(A)(5), 780(B)(1), (2), and (3), 788(B)(4), and 795(B)(2)(a) and (3)(a) and to enact R.S. 37:780(B)(4) and 795(B)(2)(q), (r), (s), and (t), relative to the Dental Practice Act; to provide for definitions; to provide for the application of a license or a permit; to provide costs and fees for violations; to alter existing fees; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Ellington | McPherson |
| Adley | Fields | Michot |
| Amedee | Fontenot | Mount |
| Bajoie | Gautreaux B | Murray |
| Barham | Gautreaux N | Nevers |
| Boasso | Heitmeier | Romero |
| Broome | Hollis | Schedler |
| Cain | Jackson | Shepherd |
| Cheek | Jones | Smith |
| Cravins | Kostelka | Theunissen |
| Dardenne | Lentini | Ullo |
| Duplessis | Malone | |
| Dupre | Marionneaux | |
| Total - 37 | | |

NAYS

Total - 0

ABSENT

Chaisson
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 188—

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 22:622.2, relative to automobile liability insurance; to provide for coverage; to provide for prohibitions on limitations; to provide for public policy; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 208—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 49:992(B)(2), relative to adjudications by the division of administrative law; to require that any agency shall comply fully and in a timely manner with the final decision or order of an administrative law judge in an adjudication

commenced by the division of administrative law; and to provide for related matters.

Floor Amendments Sent Up

Senator Shepherd sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Shepherd to Engrossed House Bill No. 208 by Representative Bowler

AMENDMENT NO. 1

On page 1, at the end of line 16, delete "take" and delete line 17 and insert the following: "comply fully with the final"

On motion of Senator Shepherd, the amendments were adopted.

The bill was read by title. Senator Jones moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Dupre | Marionneaux |
| Adley | Ellington | McPherson |
| Amedee | Fields | Michot |
| Bajoie | Fontenot | Mount |
| Barham | Gautreaux B | Murray |
| Boasso | Gautreaux N | Nevers |
| Broome | Heitmeier | Romero |
| Cain | Hollis | Schedler |
| Cheek | Jackson | Shepherd |
| Cravins | Jones | Smith |
| Dardenne | Kostelka | Theunissen |
| Duplessis | Malone | Ullo |
| Total - 36 | | |

NAYS

Total - 0

ABSENT

Chaisson
Total - 2

The Chair declared the amended bill was passed. The title was read and adopted. Senator Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 290—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 22:250.52(5), 250.54(A), and 250.60(A)(2) and (B)(2), relative to health insurance; to provide with respect to prompt payment of electronic pharmacy claims; to provide for applicability to the Office of Group Benefits and pharmacy contracts; and to provide for related matters.

The bill was read by title. Senator Duplessis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-----------|
| Mr. President | Ellington | McPherson |
| Adley | Fields | Michot |
| Amedee | Fontenot | Mount |
| Bajoie | Gautreaux B | Murray |

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| | | |
|------------|-------------|------------|
| Barham | Gautreaux N | Nevers |
| Boasso | Heitmeier | Romero |
| Broome | Hollis | Schedler |
| Cain | Jackson | Shepherd |
| Cheek | Jones | Smith |
| Cravins | Kostelka | Theunissen |
| Dardenne | Lentini | Ullo |
| Duplessis | Malone | |
| Dupre | Marionneaux | |
| Total - 37 | | |

NAYS

Total - 0

ABSENT

Chaisson
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Duplessis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 293—

BY REPRESENTATIVES TUCKER AND WALKER
AN ACT

To enact Part VIII of Chapter 1 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:31.61 through 31.68, relative to the creation of the Parkinson's Disease Registry; to provide for a program of epidemiological assessments of the incidence of Parkinson's disease and establishment of a system for the collection of information determining the incidence of Parkinson's disease; to provide for the duties and responsibilities of the office of public health, a public health unit, or their agents; to provide for funding; and to provide for related matters.

The bill was read by title. Senator Cheek moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Ellington | McPherson |
| Adley | Fontenot | Michot |
| Amedee | Gautreaux B | Mount |
| Bajoie | Gautreaux N | Murray |
| Barham | Heitmeier | Nevers |
| Boasso | Hollis | Romero |
| Broome | Jackson | Schedler |
| Cain | Jones | Shepherd |
| Cheek | Kostelka | Smith |
| Dardenne | Lentini | Theunissen |
| Duplessis | Malone | Ullo |
| Dupre | Marionneaux | |
| Total - 35 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|---------|--------|
| Chaisson | Cravins | Fields |
| Total - 3 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Cheek moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 319—

BY REPRESENTATIVE MORRISH
AN ACT

To amend and reenact R.S. 22:1430.12(A) and to enact R.S. 22:1430.7(B)(3), relative to the calculation of rates by the Louisiana Citizens Property Insurance Corporation; to provide for the formulation of rates; to provide for amending the plan of operation; and to provide for related matters.

The bill was read by title. Senator Kostelka moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Dupre | Malone |
| Adley | Ellington | McPherson |
| Amedee | Fontenot | Michot |
| Barham | Gautreaux B | Mount |
| Boasso | Gautreaux N | Nevers |
| Broome | Heitmeier | Shepherd |
| Cain | Hollis | Smith |
| Cheek | Jackson | Theunissen |
| Cravins | Jones | Ullo |
| Dardenne | Kostelka | |
| Duplessis | Lentini | |
| Total - 31 | | |

NAYS

| | |
|-----------|-------------|
| Bajoie | Marionneaux |
| Fields | Murray |
| Total - 4 | |

ABSENT

| | | |
|-----------|--------|----------|
| Chaisson | Romero | Schedler |
| Total - 3 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 321—

BY REPRESENTATIVE ROMERO
AN ACT

To amend and reenact R.S. 51:913 and 913.3 and to enact R.S. 51:913.4, relative to oil field and farm equipment; to provide for recordkeeping requirements for dealers; to provide for penalties; to provide for injunctive relief; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 336—

BY REPRESENTATIVE WADDELL
AN ACT

To amend and reenact R.S. 18:18(A)(8)(a), 531.1(A)(2) and (C), 551(A), 553(E)(1), 1302(4), (5), (6), and (7), 1303(A), (B)(4) and (5), (D), and (E), 1305, 1306(A)(1), (B), (C)(1), (D), (E)(1)(introductory paragraph) and (2), (F), and (G)(1)(introductory paragraph), (a), and (f), and (2), 1307(A)(2), 1309(A)(2), (D)(1), and (G), 1311(A), (B), (C)(1), (D)(1), and (4)(a), 1312(B), 1313(F)(introductory paragraph), (1), (2), (4), (5), (6), (7), (9), and (10), (H), and (I)(3), 1315(A)(1) and (3), (B), and (C), 1317, 1331, 1332(A), 1333(B), (G)(6)(b), and (H), and 1353(C)(2) and (3)(b), to enact R.S. 18:1302(8), and to repeal R.S. 18:1304 and 1306(E)(1)(h), (G)(1)(g), and (H), relative to voting prior to election day; to remove certain requirements for absentee in person voting; to provide with regard to conducting absentee in person voting; to repeal special provisions for disabled voters to vote absentee in person; to redesignate and direct the Louisiana State Law Institute to

further redesignate the terms "absentee in person" and "absentee" as they relate to absentee in person voting as "early voting"; and to provide for related matters.

The bill was read by title. Senator Malone moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Dupre | Malone |
| Adley | Ellington | Marionneaux |
| Amedee | Fields | McPherson |
| Bajoie | Fontenot | Michot |
| Barham | Gautreaux B | Mount |
| Boasso | Gautreaux N | Murray |
| Broome | Heitmeier | Nevers |
| Cain | Hollis | Shepherd |
| Cheek | Jackson | Smith |
| Cravins | Jones | Theunissen |
| Dardenne | Kostelka | Ullo |
| Duplessis | Lentini | |
| Total - 35 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|--------|----------|
| Chaisson | Romero | Schedler |
| Total - 3 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 405—

BY REPRESENTATIVE ALEXANDER
AN ACT

To enact R.S. 17:62, to provide relative to term limits for the Lafayette Parish School Board; to authorize the school board to adopt such limits subject to voter approval; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Dupre | Malone |
| Adley | Ellington | Marionneaux |
| Amedee | Fields | McPherson |
| Bajoie | Fontenot | Michot |
| Barham | Gautreaux B | Mount |
| Boasso | Gautreaux N | Murray |
| Broome | Heitmeier | Nevers |
| Cain | Hollis | Schedler |
| Cheek | Jackson | Shepherd |
| Cravins | Jones | Smith |
| Dardenne | Kostelka | Theunissen |
| Duplessis | Lentini | Ullo |
| Total - 36 | | |

NAYS

Total - 0

ABSENT

| | |
|----------|--------|
| Chaisson | Romero |
|----------|--------|

Total - 2

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 526—

BY REPRESENTATIVE WINSTON
AN ACT

To enact Part II-D of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.1 through 2120.10, relative to brain injury facilities; to provide for licensing requirements; and to provide for related matters.

The bill was read by title. Senator Murray moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Dupre | Malone |
| Adley | Ellington | McPherson |
| Amedee | Fields | Michot |
| Bajoie | Fontenot | Mount |
| Barham | Gautreaux B | Murray |
| Boasso | Gautreaux N | Nevers |
| Broome | Heitmeier | Shepherd |
| Cain | Hollis | Smith |
| Cheek | Jackson | Theunissen |
| Cravins | Jones | Ullo |
| Dardenne | Kostelka | |
| Duplessis | Lentini | |
| Total - 34 | | |

NAYS

Total - 0

ABSENT

| | |
|-------------|----------|
| Chaisson | Romero |
| Marionneaux | Schedler |
| Total - 4 | |

The Chair declared the bill was passed. The title was read and adopted. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 581—

BY REPRESENTATIVE TRAHAN
AN ACT

To amend and reenact R.S. 44:4.1(B)(7) and to enact R.S. 15:477.2, relative to privileged communications; to provide for privileged communications for state governmental agencies by persons reporting alleged fraud, abuse, or wrongdoing; to provide for an exception regarding public records disclosure; to provide for definitions; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-----------|
| Mr. President | Ellington | McPherson |
| Adley | Fields | Michot |
| Amedee | Fontenot | Mount |
| Bajoie | Gautreaux B | Murray |
| Barham | Gautreaux N | Nevers |
| Boasso | Heitmeier | Romero |

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| | | |
|------------|-------------|------------|
| Broome | Hollis | Shepherd |
| Cain | Jackson | Smith |
| Cheek | Jones | Theunissen |
| Dardenne | Kostelka | Ullo |
| Duplessis | Malone | |
| Dupre | Marionneaux | |
| Total - 34 | | |

NAYS

Total - 0

ABSENT

| | |
|-----------|----------|
| Chaisson | Lentini |
| Cravins | Schedler |
| Total - 4 | |

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 650—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 6:969.35(A) and (D) and 969.37(D) and (G) and to enact R.S. 6:969.6(30) through (33), relative to the Motor Vehicle Sales Finance Act; to provide for definitions; to provide for authority to issue debt waiver or debt forgiveness agreements; to provide for licenses; to provide for violations; to provide for fees; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Duplessis | Malone |
| Adley | Dupre | McPherson |
| Amedee | Ellington | Michot |
| Bajoie | Fields | Mount |
| Barham | Fontenot | Murray |
| Boasso | Gautreaux B | Nevers |
| Broome | Gautreaux N | Schedler |
| Chaisson | Heitmeier | Shepherd |
| Cheek | Hollis | Smith |
| Cravins | Jackson | Theunissen |
| Dardenne | Jones | Ullo |
| Total - 33 | | |

NAYS

| | | |
|-----------|---------|--------|
| Cain | Lentini | Romero |
| Total - 3 | | |

ABSENT

| | |
|-----------|-------------|
| Kostelka | Marionneaux |
| Total - 2 | |

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 687—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:635.4(A) and to enact R.S. 22:635.4(C), relative to homeowners insurance policies; to provide for conversion of policy forms; to provide for approval; to provide for the Louisiana Insurance Rating Commission; and to provide for related matters.

Floor Amendments Sent Up

Senator Murray sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Reengrossed House Bill No. 687 by Representative K. Carter

AMENDMENT NO.1

On page 1, line 10, delete "and notwithstanding" and on line 11, delete "the language of R.S. 22:636.2 and 635.3"

On motion of Senator Murray, the amendments were adopted.

The bill was read by title. Senator Murray moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Dupre | Marionneaux |
| Adley | Ellington | McPherson |
| Amedee | Fields | Michot |
| Bajoie | Fontenot | Mount |
| Barham | Gautreaux B | Murray |
| Boasso | Gautreaux N | Nevers |
| Broome | Heitmeier | Romero |
| Cain | Hollis | Schedler |
| Chaisson | Jackson | Shepherd |
| Cheek | Jones | Smith |
| Cravins | Kostelka | Theunissen |
| Dardenne | Lentini | Ullo |
| Duplessis | Malone | |
| Total - 38 | | |

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amended bill was passed. The title was read and adopted. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 697—

BY REPRESENTATIVES M. GUILLORY, SALTER, ALARIO, DORSEY, HAMMETT, AND CURTIS AND SENATORS HINES, BAJOE, MOUNT, AND HEITMEIER

AN ACT

ToTo enact Chapter 11-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of Part I, R.S. 37:1021 through 1025 and Part II, R.S. 37:1031 through 1034, relative to direct service workers and medication attendants; to provide for the authority, training, registration, and termination of direct service workers; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 751—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 4:147(2), relative to residency requirements of the state steward appointed by the Louisiana State Racing Commission; to require the steward to be residing in the state upon appointment; and to provide for related matters.

The bill was read by title. Senator Adley moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Dupre | Marionneaux |
| Adley | Ellington | McPherson |
| Amedee | Fields | Michot |
| Bajoie | Fontenot | Mount |
| Barham | Gautreaux B | Murray |
| Boasso | Gautreaux N | Nevers |
| Broome | Heitmeier | Romero |
| Cain | Hollis | Schedler |
| Chaisson | Jackson | Smith |
| Cheek | Jones | Theunissen |
| Cravins | Kostelka | Ullo |
| Dardenne | Lentini | |
| Duplessis | Malone | |
| Total - 37 | | |

NAYS

Total - 0

ABSENT

Shepherd
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 753—

BY REPRESENTATIVES DURAND AND MCDONALD
AN ACT

To amend and reenact R.S. 37:1212, relative to the Pharmacy Practice Act; to provide relative to the practice of pharmacy technicians; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 759—

BY REPRESENTATIVE BURNS
AN ACT

To amend and reenact R.S. 37:2442(4), 2444, 2445, 2446.1(A) and (B)(7), 2447, 2448(A) and (B)(1), 2449, 2450, 2451(A) and (B), 2461(A), 2462, and 2463, to enact R.S. 37:2442(6), 2449.1, 2449.2, 2449.3, and 2463.1, and to repeal R.S. 37:2452 and 2457(11), relative to the licensing of hearing aid dealers; to provide relative to qualifications, fees, penalties, and continuing education; to provide for temporary training permits and the training of temporary training permit holders; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Reengrossed House Bill No. 759 by Representative Burns

AMENDMENT NO.1

On page 1, line 4 after "repeal R.S. 37:" insert "2451 (C),"

AMENDMENT NO. 2

On page 9, delete lines 3 through 7 in their entirety

AMENDMENT NO. 3

On page 10, line 9 after "repeal R.S. 37:" insert "2451 (C),"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Schedler moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Dupre | Marionneaux |
| Adley | Ellington | McPherson |
| Amedee | Fields | Michot |
| Bajoie | Fontenot | Murray |
| Barham | Gautreaux N | Nevers |
| Boasso | Heitmeier | Romero |
| Broome | Hollis | Smith |
| Chaisson | Jackson | Theunissen |
| Cheek | Jones | Ullo |
| Dardenne | Lentini | |
| Duplessis | Malone | |
| Total - 31 | | |

NAYS

Cain
Total - 1

ABSENT

| | | |
|-------------|----------|----------|
| Cravins | Kostelka | Schedler |
| Gautreaux B | Mount | Shepherd |
| Total - 6 | | |

The Chair declared the amended bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 761—

BY REPRESENTATIVE WHITE
AN ACT

To enact R.S. 22:676, relative to motor vehicle insurance provisions; to provide for total loss; to provide for airbags; and to provide for related matters.

The bill was read by title. Senator Fontenot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Dupre | Malone |
| Adley | Ellington | Marionneaux |
| Amedee | Fields | McPherson |
| Bajoie | Fontenot | Michot |
| Barham | Gautreaux B | Mount |
| Boasso | Gautreaux N | Murray |
| Broome | Heitmeier | Nevers |
| Cain | Hollis | Romero |
| Chaisson | Jackson | Schedler |
| Cheek | Jones | Smith |
| Dardenne | Kostelka | Theunissen |
| Duplessis | Lentini | Ullo |
| Total - 36 | | |

NAYS

Total - 0

ABSENT

Cravins
Total - 2
Shepherd

The Chair declared the bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 816—

BY REPRESENTATIVES JOHNS AND MCDONALD
AN ACT

To amend and reenact R.S. 37:1184, relative to the Pharmacy Practice Act; to provide for changes in the fee schedule; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Ellington | Marionneaux |
| Adley | Fields | McPherson |
| Amedee | Fontenot | Michot |
| Bajoie | Gautreaux B | Mount |
| Barham | Gautreaux N | Murray |
| Boasso | Heitmeier | Nevers |
| Broome | Hollis | Romero |
| Cain | Jackson | Schedler |
| Cravins | Jones | Smith |
| Dardenne | Kostelka | Theunissen |
| Duplessis | Lentini | Ullo |
| Dupre | Malone | |
| Total - 35 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|-------|----------|
| Chaisson | Cheek | Shepherd |
| Total - 3 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 883— (Substitute for House Bill No. 740 by Representative Hebert)

BY REPRESENTATIVE HEBERT
AN ACT

To enact Chapter 36-B of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2861 through 2870, relative to polysomnographic health professionals; to provide for the recognition of polysomnography as a separate and distinct profession; to provide for licensure of polysomnographic technologists and technicians; to provide for regulation of polysomnographic technologists, technicians, and individuals-in-training; to provide for definitions; to provide for the powers and duties of the Louisiana State Board of Medical Examiners relative to polysomnographic technologists, technicians, and individuals-in-training; to provide for the creation of the Advisory Committee on Polysomnography; to provide for fees, person and practices not affected, and prohibited acts; and to provide for related matters.

The bill was read by title. Senator N. Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------|-------------|
| Mr. President | Dupre | Marionneaux |
|---------------|-------|-------------|

| | | |
|------------|-------------|------------|
| Adley | Ellington | McPherson |
| Amedee | Fields | Michot |
| Bajoie | Fontenot | Mount |
| Barham | Gautreaux B | Murray |
| Boasso | Gautreaux N | Nevers |
| Broome | Heitmeier | Romero |
| Cain | Hollis | Schedler |
| Chaisson | Jackson | Shepherd |
| Cheek | Jones | Smith |
| Cravins | Kostelka | Theunissen |
| Dardenne | Lentini | Ullo |
| Duplessis | Malone | |
| Total - 38 | | |

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the bill was passed. The title was read and adopted. Senator N. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 885— (Substitute for House Bill No. 584 by Representative K. Carter)

BY REPRESENTATIVES K. CARTER AND BOWLER
AN ACT

To amend and reenact R.S. 22:250.31 through 250.35, relative to health insurance claims; to provide relative to prompt payment of health insurance claims; to provide for definitions; to provide for standards for receipt and processing of nonelectronic and electronic claims; to provide relative to limitations on claim filing and audit; to provide for the regulatory authority of the commissioner of insurance; to provide relative to applicability; and to provide for related matters.

The bill was read by title. Senator Murray moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Ellington | Marionneaux |
| Adley | Fields | McPherson |
| Amedee | Fontenot | Michot |
| Bajoie | Gautreaux B | Mount |
| Barham | Gautreaux N | Murray |
| Boasso | Heitmeier | Nevers |
| Broome | Hollis | Romero |
| Cain | Jackson | Schedler |
| Chaisson | Jones | Shepherd |
| Cheek | Kostelka | Smith |
| Dardenne | Lentini | Theunissen |
| Dupre | Malone | Ullo |
| Total - 36 | | |

NAYS

Total - 0

ABSENT

| | |
|-----------|-----------|
| Cravins | Duplessis |
| Total - 2 | |

The Chair declared the bill was passed. The title was read and adopted. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator McPherson asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments, Subject to Call

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments, subject to call were taken up and acted upon as follows:

Called from the Calendar

Senator McPherson asked that Senate Bill No. 271 be called from the Calendar at this time.

SENATE BILL NO. 271—

BY SENATORS MCPHERSON, BAJOIE, HINES AND MOUNT AND REPRESENTATIVES DORSEY, HAMMETT AND SALTER
AN ACT

To amend and reenact R.S. 14:403.2(E)(9)(a), and to enact R.S. 40:1300.51(2)(l) and (m), and Part VI-D of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2179 through 2179.1, and to repeal R.S. 37:2504(D) and (E), relative to direct service workers; to provide relative to the adult protection agency; to provide with respect to the confidentiality of case records; to provide for criminal history checks of direct service workers; to define direct service workers; to authorize the Department of Health and Hospitals to promulgate rules to maintain a registry of direct service workers; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Durand to Engrossed Senate Bill No. 271 by Senator McPherson

AMENDMENT NO. 1

On page 3, between lines 13 and 14 insert the following:

"D. The provisions of this Part shall not apply to religious nonmedical nursing personnel providing services through a religious nonmedical health care institution as defined in 42 U.S.C. 1395x."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tucker to Engrossed Senate Bill No. 271 by Senator McPherson

AMENDMENT NO. 1

On page 3, at the end of line 8, add the following:

"Such rules shall include the establishment of criteria regarding any parent, step-parent, grandparent, brother, sister, aunt, or uncle of a recipient serving as a paid direct service worker."

AMENDMENT NO. 2

On page 3, at the beginning of line 15, insert "A."

AMENDMENT NO. 3

On page 3, between lines 20 and 21, insert the following:

"B. A parent, step-parent, grandparent, brother, sister, aunt, or uncle of a recipient shall meet the criteria established by rule regarding serving as a paid direct support worker unless a waiver is issued by the secretary of the Department of Health and Hospitals."

Senator McPherson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Fields | Michot |
| Adley | Fontenot | Mount |
| Amedee | Gautreaux B | Murray |
| Bajoie | Gautreaux N | Nevers |
| Barham | Heitmeier | Romero |
| Boasso | Hollis | Schedler |
| Broome | Jackson | Shepherd |
| Chaisson | Jones | Smith |
| Cheek | Lentini | Theunissen |
| Dardenne | Malone | Ullo |
| Dupre | Marionneaux | |
| Ellington | McPherson | |

Total - 34

NAYS

Total - 0

ABSENT

| | |
|---------|-----------|
| Cain | Duplessis |
| Cravins | Kostelka |

Total - 4

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Mr. President in the Chair

Regular Order of the Day

Special Order of the Day

The following House Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

HOUSE BILL NO. 887— (Substitute for House Bill No. 802 by Representative Durand)

BY REPRESENTATIVES DURAND, ALARIO, DORSEY, HAMMETT, HUNTER, AND SALTER

AN ACT

To amend and reenact R.S. 17:1519.6(C) and to enact Subtitle X of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:8051 through 8059, relative to state fees; to enact the Healthcare Affordability Act; to impose a fee on certain hospitals; to provide for collection and administration of the fee; to provide for disposition of the avails of the fee; to provide for penalties and sanctions; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 887 by Representative Durand

AMENDMENT NO.1

On page 5, line 13, after "revenue," insert the following:

"The department's regulations shall include instructions for reducing the net patient revenue in any such amended filing by the CMS Medicare hospital market basket index for the period between the applicable Medicare cost report and Federal Fiscal Year 2001."

AMENDMENT NO. 2

On page 5, line 13, delete "period covered by the" and insert "hospital's adjusted net revenue"

AMENDMENT NO. 3

On page 5, line 14, delete "amendment"

On motion of Senator McPherson, the amendments were adopted.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators McPherson and Boasso to Reengrossed House Bill No. 887 by Representative Durand

AMENDMENT NO. 1

Delete Senate Committee Amendment Nos. 1, 2, and 3 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 14, 2005.

AMENDMENT NO. 2

On page 7, delete lines 4 through 14, and insert the following:

"G.(1)(a) No hospital shall pass on the cost of this fee or include the fee as an itemized and separately listed amount on any statement sent to any patient, responsible party, insurer, or self-insured employer programs. If such a violation occurs, it shall be considered a violation of hospital minimum standards. If any such party has reason to believe that the fee has been passed on to him, or an attempt was made to do so, he may submit in writing to the Department of Revenue a request for an investigation along with evidence that the fee has been passed on or that an attempt was made to pass on the fee. The department shall have an affirmative duty to protect the parties above against any violation of this Subsection.

(b) Any bill or statement sent to a patient, responsible party, insurer, or self-insured employer program after the initial effective date of this Subsection shall contain a statement that "This bill does not contain any cost of the fee imposed by the Healthcare Affordability Act provided in Act of the 2005 Regular Session." The act number shall be the number of the act which originated as House Bill No. 887 of the 2005 Regular Session.

(2) Upon receipt of a written request for an investigation by an affected party, the department shall conduct a full investigation in a timely manner. Upon completion of the investigation, the department shall conduct a hearing pursuant to the provisions of the Administrative Procedures Act if it believes sufficient cause has been shown to warrant such hearing. If the department declines to conduct a hearing, it shall explain in writing to the requesting party its reasons for not further acting upon the complaint.

(3) Upon any finding by the Department of Revenue of a violation of this Subsection, it shall order full restitution to the affected party, including judicial interest computed from the time that the violation occurred until payment of the restitution. Furthermore, the department shall forward its findings to the Department of Health and Hospitals, which shall conduct a hearing in the matter to determine the sanctions applicable thereto, including suspension or revocation of the violating hospital's license."

On motion of Senator McPherson, the amendments were adopted.

Floor Amendments Sent Up

Senator N. Gautreaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Reengrossed House Bill No. 887 by Representative Durand

AMENDMENT NO. 1

On page 7, line 1, after "shall" and before "be" insert "not"

AMENDMENT NO. 2

On page 7, line 6, after "programs," insert

"No fee authorized and imposed by this Section shall be considered an allowable cost for purposes of insurance or other third party reimbursements, nor shall such fee be included in the establishment of reimbursement rates."

AMENDMENT NO. 3

On page 7, line 12, delete "sole and exclusive"

AMENDMENT NO. 4

On page 7, line 13, after "Subsection" insert a period and delete the remainder of the line and line 14

AMENDMENT NO. 5

On page 7, between lines 14 and 15, insert

"H. Upon request by any person, the department shall disclose the net uncompensated cost, the new patient revenue and the fee imposed on any hospital by the provisions of this Section for the most recent four quarters, along with any related reimbursement to such hospital from the state for the same period. The department may make such disclosure through public access to the information on the department's Internet website."

AMENDMENT NO. 6

On page 7, between lines 14 and 15, insert

"I. Each hospital shall post on its Internet website and make available upon request by any person, a list of charges, updated at least every ninety days, on the one hundred most commonly used services and items from its charge master. For the purpose of this Subsection, the term "charge master" means a uniform schedule of charges represented by the facility as its gross billed charge for a given service or item, regardless of payor type."

Senator N. Gautreaux moved adoption of the amendments.

Senator McPherson objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|------------|-------------|------------|
| Barham | Gautreaux N | Nevers |
| Chaisson | Kostelka | Schedler |
| Cravins | Lentini | Theunissen |
| Dardenne | Malone | |
| Fontenot | Murray | |
| Total - 13 | | |

NAYS

| | | |
|------------|-------------|----------|
| Adley | Ellington | Michot |
| Bajoie | Fields | Mount |
| Boasso | Gautreaux B | Romero |
| Broome | Heitmeier | Shepherd |
| Cain | Hollis | Smith |
| Cheek | Jackson | Ullo |
| Duplessis | Jones | |
| Dupre | McPherson | |
| Total - 22 | | |

ABSENT

| | | |
|---------------|--------|-------------|
| Mr. President | Amedee | Marionneaux |
| Total - 3 | | |

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Reengrossed House Bill No. 887 by Representative Durand

AMENDMENT NO.1

On page 1, line 14, after "Orleans" insert "and the LSU Health Sciences Center-Shreveport"

On motion of Senator Barham, the amendments were adopted.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Reengrossed House Bill No. 887 by Representative Durand

AMENDMENT NO.1

On page 3, line 4 after "hospital's" insert "most recent audited"

AMENDMENT NO. 2

On page 3, delete line 5 and insert "report available"

AMENDMENT NO. 3

On page 3, line 6, delete "(October 2000 through September 2001)"

Senator Schedler moved adoption of the amendments.

Senator McPherson objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|------------|-------------|------------|
| Amedee | Fontenot | Schedler |
| Barham | Gautreaux N | Theunissen |
| Boasso | Kostelka | Ullo |
| Cravins | Malone | |
| Dardenne | Romero | |
| Total - 13 | | |

NAYS

| | | |
|------------|-------------|-----------|
| Adley | Ellington | McPherson |
| Bajoie | Fields | Michot |
| Broome | Gautreaux B | Mount |
| Cain | Heitmeier | Murray |
| Chaisson | Hollis | Nevers |
| Cheek | Jackson | Shepherd |
| Duplessis | Jones | Smith |
| Dupre | Lentini | |
| Total - 23 | | |

ABSENT

| | |
|---------------|-------------|
| Mr. President | Marionneaux |
| Total - 2 | |

The Chair declared the amendments were rejected.

The bill was read by title. Senator McPherson moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-----------|
| Mr. President | Dupre | McPherson |
| Adley | Ellington | Michot |

| | | |
|------------|-------------|----------|
| Amedee | Fields | Mount |
| Bajoie | Fontenot | Murray |
| Boasso | Gautreaux B | Nevers |
| Broome | Heitmeier | Shepherd |
| Chaisson | Hollis | Smith |
| Cheek | Jackson | Ullo |
| Duplessis | Jones | |
| Total - 26 | | |

NAYS

| | | |
|------------|-------------|------------|
| Barham | Gautreaux N | Romero |
| Cain | Kostelka | Schedler |
| Cravins | Lentini | Theunissen |
| Dardenne | Malone | |
| Total - 11 | | |

ABSENT

| |
|-------------|
| Marionneaux |
| Total - 1 |

The Chair declared the amended bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ADOPTION OF CONFERENCE COMMITTEE REPORT

June 15, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 17.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

ADOPTION OF CONFERENCE COMMITTEE REPORT

June 15, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 272.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 15, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 599 by Representative Hammett, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Hammett, Townsend and Bowler.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 15, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 749 by Representative Hutter:

Representatives Hutter, Durand and Waddell.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 15, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 558 by Representative LaBruzzo:

Representatives LaBruzzo, Durand and Walker.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 15, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 528 by Representative Doerge, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Doerge, Durand and Walker.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 15, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 194 by Representative Fauchaux, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Fauchaux, Toomy and R. Carter.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 15, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 569 by Representative Baudoin:

Representatives Baudoin, Quezaire and Gallot.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 15, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 103 by Representative Frith, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Frith, Crane and Triche.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

June 15, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 138—

BY SENATOR MALONE AND REPRESENTATIVE M. POWELL
AN ACT

To amend and reenact R.S. 47:296.2(C), 296.3(C), and 1516.1(G)(2) and to enact R.S. 47:1584, relative to collection of taxes; to provide for an innocent spouse rule for the collection of taxes and related amounts; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 27—

BY SENATORS MCPHERSON, DUPLESSIS AND MURRAY
AN ACT

To enact R.S. 47:305.53 and 337.9(D)(27), relative to sickle cell disease organizations; to provide for a state and political subdivision sales tax exemption; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 65—

BY SENATOR KOSTELKA AND REPRESENTATIVES FANNIN, MCDONALD AND WALSWORTH
AN ACT

To enact R.S. 17:85.11, relative to powers and duties of school boards; to authorize the Ouachita Parish School Board to name an athletic facility at the former Calhoun High School in honor of Jerry Lee Lovett, Sr.; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 35—

BY SENATOR BARHAM AND REPRESENTATIVE HILL
AN ACT

To enact R.S. 40:2405(H), relative to peace officer standards and training; to provide requirements for former peace officers to retain certain qualifications; to provide relative to the resumption of service as a peace officer; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 79—

BY SENATOR DUPRE

AN ACT

To enact R.S. 33:9356, relative to veterans' memorial districts; to provide relative to the Veterans' Memorial District of Ward 10 of Lafourche Parish; to provide for a board of commissioners; to provide relative to board membership, composition, selection, powers and duties, and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 45—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 33:4754(C)(1)(a), relative to liens for removal and securing dangerous structures by certain parishes and municipalities; to include the Terrebonne Parish assessor within the definition of "equivalent officer" for the purposes of certain actions; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 327—

BY SENATOR JONES

AN ACT

To enact R.S. 46:1053(C)(2)(e), relative to hospital service districts; to authorize an increase in per diem for the members of the board of commissioners of the Madison Parish Hospital Service District; to increase the number of meeting days payable by a per diem; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 330—

BY SENATOR N. GAUTREAUX

AN ACT

To enact R.S. 33:423.15, relative to the city of Carencro; to provide for disciplinary action by the chief of police; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 332—

BY SENATOR N. GAUTREAUX

AN ACT

To enact R.S. 33:3812(G), relative to waterworks districts; to increase the membership of the board of commissioners of the Southeast Waterworks District No. 2 of Vermilion Parish; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 348—

BY SENATOR CRAVINS

AN ACT

To enact R.S. 33:2740.39, relative to special districts; to create the Opelousas Downtown Development District; to provide for the purpose and governance of the district; to provide for its rights, powers, and duties, including the authority to tax, subject to the approval of the district voters; to provide for the boundaries of the district; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 44—

BY SENATORS LENTINI, MCPHERSON AND NEVERS AND REPRESENTATIVE SCALISE

AN ACT

To enact R.S. 39:362.1, relative to state owned motor vehicles and aircraft; to require the approval of the Joint Legislative Committee on the Budget for the purchase of certain vehicles for use by a statewide elected official; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 90—

BY SENATORS NEVERS AND SCHEDLER

AN ACT

To enact Subpart B-35 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.701 through 130.709, relative to special districts; to create the Tangipahoa Parish Economic Development District; to provide for a board of commissioners of the district and for the district's powers, duties, and limitations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 118—

BY SENATORS BARHAM, CHEEK, CRAVINS, LENTINI, MURRAY AND NEVERS

AN ACT

To amend and reenact R.S. 29:406(A) and (C) and 410(A)(introductory paragraph) and (A)(3), (E)(1)(introductory paragraph), (E)(1)(c) and (d), (E)(2)(a), (E)(3), and (F)(1)(introductory paragraph), and (I), and to enact R.S. 29:410(E)(4), relative to the Military Service Relief Act; to

provide with respect to certain rights for employees who are in the uniformed services and called to active duty and who wish to return to positions of employment held prior to active duty service; to provide with respect to notification and accrual and entitlement to vacation leave; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 158—

BY SENATORS DARDENNE AND MURRAY
AN ACT

To enact R.S. 17:226.1 and Chapter 32 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2131 through 2135, relative to employment of minors; to provide for employment of minors providing artistic or creative services; to provide for placement of certain monies received as compensation in trust accounts; to provide for creation of such accounts and for the use of monies deposited in such accounts; to provide for educational instruction of minors engaged in providing artistic or creative services; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 162—

BY SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 29:732(A), relative to price gouging; to prohibit price gouging during a named tropical storm or hurricane; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 313—

BY SENATOR MARIONNEAUX AND REPRESENTATIVE MCVEA
AN ACT

To enact R.S. 33:2740.62, relative to special districts; to create the East Feliciana Parish Economic Development District; to provide for the purpose and governance of the district; to provide for its rights and powers, including the authority for tax financing by the district; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 84—

BY SENATORS SMITH AND ADLEY AND REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 17:1871(A)(2), relative to membership of the Board of Supervisors of Community and Technical Colleges; to provide relative to terms and qualifications of appointees to the board; to provide with regard to experience as a condition of appointment; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 108—

BY SENATOR ADLEY
AN ACT

To amend and reenact R.S. 47:1705(B), relative to information provided regarding millage rates; to require certain notice to the public in any year in which a tax recipient body intends to consider the levy of additional or increased millage rates without voter approval; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 132—

BY SENATOR MCPHERSON
AN ACT

To enact Part XIV of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:366.1 through 366.3, 366.5, and 366.9, relative to providing for accountability for state resources that are obligated, dedicated, or otherwise are committed to or are necessary to the confection of agreements with private persons relative to the interests of the state; to

provide purposes and definition; to provide for the powers and duties of the commissioner of administration; to provide for the powers and duties of the attorney general; to provide for the powers and duties of the Joint Legislative Committee on the Budget and its litigation subcommittee; to authorize executive sessions under certain circumstances; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 185—

BY SENATOR CRAVINS
AN ACT

To enact R.S. 42:851(O), relative to health and accident insurance programs for the office of group benefits; to provide with regard to the applicability of certain requirements to certain employees; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 218—

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 39:330(B)(3) and (4) and to enact R.S. 39:330(B)(5) and 330.4, relative to property control; to provide for the acquisition of surplus computer equipment by certain public educational institutions; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 270—

BY SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 46:978 and 979(A), relative to health care for the uninsured; to provide for authorization for a Section 1115 of the Social Security Act waiver demonstration initiative; to provide for a Section 1115 demonstration program; to provide for expansion of coverage for families below two hundred percent of the federal poverty level; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 135—

BY SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 11:471(A) and to enact R.S. 11:441(G), relative to Louisiana State Employees' Retirement System; to provide with respect to survivors benefits; to provide with respect to eligibility for retirement for new members; to require new members to have ten years of service at age sixty to be eligible for retirement; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 142—

BY SENATOR THEUNISSEN
AN ACT

To enact R.S. 33:4720.17(C)(4), 4720.31(C)(4), and 4720.47(D)(4), and R.S. 47:2183.1, relative to tax sales of immovable property and acquisition of adjudicated property from a political subdivision; to provide relative to a tax debtor or other person seeking to redeem such property; to require such person to pay certain costs incurred relative to a tax sale; to require such person to pay certain costs incurred during acquisition of adjudicated property from a political subdivision; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Introduction of Senate Resolutions

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 141— BY SENATOR FIELDS

A RESOLUTION

To commend and congratulate Pam Kidd on being the first black woman to earn the rank of captain with the Baton Rouge Police Department.

On motion of Senator Fields, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 142— BY SENATOR MOUNT

A RESOLUTION

To designate Thursday, June 16, 2005, as Girl Scouts Day at the Louisiana State Capitol.

On motion of Senator Mount, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 143— BY SENATOR HINES

A RESOLUTION

To urge and request the Louisiana Public Service Commission to continue to work with the Louisiana Association of Community Action Partnerships to develop and implement an Energy Efficiency Fund that will benefit the people of the state of Louisiana.

On motion of Senator Hines, the resolution was read by title and adopted.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

June 15, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 742—

BY REPRESENTATIVES K. CARTER, GRAY, JEFFERSON, ARNOLD, BADON, BURNS, HEATON, HUTTER, MARCHAND, RICHMOND, SCALISE, SHEPHERD, AND WINSTON AND SENATOR DUPLESSIS
AN ACT

To enact Chapter 27-C of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.51 through 9039.67, and to repeal R.S. 36:109(M) and Part III of Chapter 6 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:811 through 813.1, relative to the Greater New Orleans Biosciences Economic Development District; to create and provide for such district and its board of commissioners and their powers, duties, functions, and responsibilities; to repeal provisions providing for the Louisiana Biomedical Research and Development Park Commission; and to provide for related matters.

HOUSE BILL NO. 285—

BY REPRESENTATIVE CRAVINS

AN ACT

To amend and reenact R.S. 32:171(F)(1) and (2) and 175(C) and to enact R.S. 32:175(D) and R.S. 48:393, relative to penalties for failing to stop at certain railroad grade crossings; to increase the fines for certain railroad grade crossing violations; to provide relative to penalties for certain violations; to require the suspension of driving privileges under certain circumstances; to provide relative to the disposition of a certain portion of penalties for certain railroad grade crossing violations; to create the Railroad Crossing Safety Fund; to provide relative to the administration and use of monies deposited into such fund; and to provide for related matters.

HOUSE BILL NO. 531—

BY REPRESENTATIVE THOMPSON AND SENATORS ELLINGTON AND SMITH

AN ACT

To amend and reenact R.S. 51:955.4(F) and to enact R.S. 51:955.5, relative to broadband technology; to create the Broadband Infrastructure and Information Technology Fund; to provide for the deposit of certain monies in the fund; to provide for the use of monies in the fund; and to provide for related matters.

HOUSE BILL NO. 623—

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 27:353(4), relative to the revenues under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to define eligible facility to include facilities temporarily not racing because of safety issues in order to preserve the revenues to be distributed which revenues are derived from the conduct of slot machine gaming in St. Landry Parish; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 797—

BY REPRESENTATIVES BEARD AND FAUCHEUX

AN ACT

To enact Subpart C of Part X of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3398.10 through 3398.14; to provide for the establishment of one or more film institutes; to provide for the powers, duties, functions, and governance of the institutes; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 807—

BY REPRESENTATIVES ALARIO, FAUCHEUX, HONEY, AND TOOMY

AN ACT

To amend and reenact R.S. 39:467, relative to the Louisiana Stadium and Exposition District and the tax exemption for domed stadium facilities and baseball facilities; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 832—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 47:301(8)(f), relative to the state sales and use tax; to provide for the exclusion of purchases by certain nonprofit entities; to provide for the use of annual exclusion certificates to administer the exclusion; to provide for an effective date; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator Ullo asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE BILL NO. 285—

BY REPRESENTATIVE CRAVINS

AN ACT

To amend and reenact R.S. 32:171(F)(1) and (2) and 175(C) and to enact R.S. 32:175(D) and R.S. 48:393, relative to penalties for failing to stop at certain railroad grade crossings; to increase the fines for certain railroad grade crossing violations; to provide relative to penalties for certain violations; to require the suspension of driving privileges under certain circumstances; to provide relative to the disposition of a certain portion of penalties for certain railroad grade crossing violations; to create the Railroad Crossing Safety Fund; to provide relative to the administration and use of monies deposited into such fund; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways and Public Works.

Rules Suspended

Senator Ellington asked for and obtained a suspension of the rules for the purpose of hearing House Bill No. 285 in the Committee on Transportation, Highways and Public Works without the required 24 hour notice.

HOUSE BILL NO. 531—

BY REPRESENTATIVE THOMPSON AND SENATORS ELLINGTON AND SMITH

AN ACT

To amend and reenact R.S. 51:955.4(F) and to enact R.S. 51:955.5, relative to broadband technology; to create the Broadband Infrastructure and Information Technology Fund; to provide for the deposit of certain monies in the fund; to provide for the use of monies in the fund; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 623—

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 27:353(4), relative to the revenues under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to define eligible facility to include facilities temporarily not racing because of safety issues in order to preserve the revenues to be distributed which revenues are derived from the conduct of slot machine gaming in St. Landry Parish; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 742—

BY REPRESENTATIVES K. CARTER, GRAY, JEFFERSON, ARNOLD, BADON, BURNS, HEATON, HUTTER, MARCHAND, RICHMOND, SCALISE, SHEPHERD, AND WINSTON AND SENATOR DUPLESSIS

AN ACT

To enact Chapter 27-C of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.51 through 9039.67, and to repeal R.S. 36:109(M) and Part III of Chapter 6 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:811 through 813.1, relative to the Greater New Orleans Biosciences Economic Development District; to create and provide for such district and its board of commissioners and their powers, duties, functions, and responsibilities; to repeal provisions providing for the Louisiana Biomedical Research and Development Park Commission; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

Rules Suspended

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of hearing House Bill No. 742 in the Committee on Local and Municipal Affairs without the required 24 hour notice.

HOUSE BILL NO. 797—

BY REPRESENTATIVES BEARD AND FAUCHEUX

AN ACT

To enact Subpart C of Part X of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3398.10 through 3398.14; to provide for the establishment of one or more film institutes; to provide for the powers, duties, functions, and governance of the institutes; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Education.

HOUSE BILL NO. 807—

BY REPRESENTATIVES ALARIO, FAUCHEUX, HONEY, AND TOOMY

AN ACT

To amend and reenact R.S. 39:467, relative to the Louisiana Stadium and Exposition District and the tax exemption for domed stadium facilities and baseball facilities; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 832—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 47:301(8)(f), relative to the state sales and use tax; to provide for the exclusion of purchases by certain nonprofit entities; to provide for the use of annual exclusion certificates to administer the exclusion; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

June 15, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 195—

BY REPRESENTATIVES SCALISE, ALARIO, ANSARDI, BOWLER, DAMICO, LABRUZZO, LANCASTER, MARTINY, PITRE, TOOMY, TUCKER, AND WOOTON AND SENATORS HEITMEIER, HOLLIS, LENTINI, SHEPHERD, AND ULLO

A CONCURRENT RESOLUTION

To urge and request the governor to select a university or universities to conduct a study of the economic impact of the state's film industry on the local economies of the state's parishes and municipalities.

HOUSE CONCURRENT RESOLUTION NO. 196—
BY REPRESENTATIVE PITRE

A CONCURRENT RESOLUTION

To commend Marian Cooper of Grand Isle High School upon being named Educator of the Year by the American Legion, Department of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 197—
BY REPRESENTATIVE JEFFERSON

A CONCURRENT RESOLUTION

To urge and request the City Council of New Orleans to examine the feasibility of establishing a polling place on the Tulane University campus in order to provide the surrounding community with a convenient and easily accessible location for voting.

HOUSE CONCURRENT RESOLUTION NO. 193—
BY REPRESENTATIVE JOHN SMITH

A CONCURRENT RESOLUTION

To commend Trooper First Class Rodney Helton upon his receipt of the 2005 Governor Jimmie Davis Sunshine Award.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**House Concurrent Resolutions
on First Reading**

The following House Concurrent Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE CONCURRENT RESOLUTION NO. 193—
BY REPRESENTATIVE JOHN SMITH

A CONCURRENT RESOLUTION

To commend Trooper First Class Rodney Helton upon his receipt of the 2005 Governor Jimmie Davis Sunshine Award.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 195—
BY REPRESENTATIVES SCALISE, ALARIO, ANSARDI, BOWLER, DAMICO, LABRUZZO, LANCASTER, MARTINY, PITRE, TOOMY, TUCKER, AND WOOTON AND SENATORS HEITMEIER, HOLLIS, LENTINI, SHEPHERD, AND ULLO

A CONCURRENT RESOLUTION

To urge and request the governor to select a university or universities to conduct a study of the economic impact of the state's film industry on the local economies of the state's parishes and municipalities.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 196—
BY REPRESENTATIVE PITRE

A CONCURRENT RESOLUTION

To commend Marian Cooper of Grand Isle High School upon being named Educator of the Year by the American Legion, Department of Louisiana.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 197—
BY REPRESENTATIVE JEFFERSON

A CONCURRENT RESOLUTION

To urge and request the City Council of New Orleans to examine the feasibility of establishing a polling place on the Tulane University campus in order to provide the surrounding community with a convenient and easily accessible location for voting.

The resolution was read by title; lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 15, 2005

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

HOUSE CONCURRENT RESOLUTION NO. 22—
BY REPRESENTATIVES JEFFERSON AND BURRELL

A CONCURRENT RESOLUTION

To authorize and direct the Louisiana Department of Public Safety and Corrections to create a system to notify individuals convicted of a felony who have completed their terms of confinement or parole relative to the reinstatement of voter registration.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 63—
BY REPRESENTATIVE DANIEL

A CONCURRENT RESOLUTION

To urge and request public bodies and any agents acting on behalf of public bodies to be open and honest with the public about applicants and candidates for public positions of authority and to discontinue the practice of oral only contacts and interviews, the sole purpose of which is to circumvent the laws relative to public records and the fundamental and constitutional right of the citizens of Louisiana to observe the deliberations of public bodies and examine public documents.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 138—
BY REPRESENTATIVES GARY SMITH, FARRAR, MONTGOMERY, R. CARTER, FAUCHEUX, GALLOT, SHEPHERD, AND WHITE

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to make permanent the increases in Servicemembers' Group Life Insurance coverage and the Death Gratuity benefits to provide financial security of survivors of members of the Louisiana National Guard and other servicemembers who make the ultimate sacrifice with their lives while serving our country and the state of Louisiana.

Reported favorably.

HOUSE BILL NO. 95—

BY REPRESENTATIVES GARY SMITH, MONTGOMERY, FARRAR, BURRELL, DARTEZ, FAUCHEUX, RICHMOND, AND WHITE AND SENATOR ROMERO

AN ACT

To enact R.S. 29:36.1(E), relative to members of the Louisiana National Guard; to provide for financial support of the members and their survivors; to provide that the Military Department, State of Louisiana, shall study the feasibility of reimbursing group life insurance premiums paid by members; to provide for exemption from tuition charges for the surviving spouse and minor children of any member killed while serving in certain military service; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 152—BY REPRESENTATIVE E. GUILLORY
AN ACT

To amend and reenact R.S. 18:563(D) and (E) and to enact R.S. 18:563(F), relative to voting procedures; to prohibit the use of certain electronic communication devices while voting; to exempt from the prohibition certain electronic communication devices to be used for assisted voting; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 252—BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 42:5(D) and to repeal R.S. 42:5.1, relative to open meetings; to provide for public comment at meetings of school boards; to remove specific provisions applying to meetings of school boards; to apply general provisions regarding public comment at meetings of public bodies to school boards; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 386—BY REPRESENTATIVE SMILEY
AN ACT

To amend and reenact R.S. 25:1223(E) and 1224(A) (introductory paragraph) and (13), R.S. 36:610(E), 802 (introductory paragraph), and 802.3, and R.S. 51:2379(A)(3) and (D), 2380(C), 2382(B), and 2383(B)(1) and (C), to enact R.S. 36:109(G)(2), 239(B)(6), 259(D), and 409(F)(3), and to repeal Part IV of Chapter 11 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:2251 through 2262, R.S. 25:1222(C) and 1223.1, R.S. 32:390.24, Part IV of Chapter 6 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:1101 through 1106, R.S. 36:4(P), 109(D) and (M), 209(M)(2) and (U), 259(S), 409(C)(9), (D)(1), (J), and (K), 478(C)(5) and (H)(6), 509(N), 629(P), 651(D)(7), 916, and 918, R.S. 37:1285.2, Part IX of Chapter 6 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1486.1, Chapter 22 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2491 through 2494, Chapter 29 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2741 through 2745, R.S. 46:231(2), 261(B), (C), (D), (E), and (G), Chapter 14-D of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1443 and 1443.1, Chapter 38 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2511 through 2514, Subpart B of Part V of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:81 through 84, Part VI-C of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:108.1 and 108.2, Chapter 17 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:1681 through 1687, R.S. 51:936(B), Subpart D of Chapter 9 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1291 and 1292, Chapter 12 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1361 through 1368, R.S. 51:2378(D)(3), and Act No. 319 of the 1977 Regular Session, relative to boards, commissions, authorities, districts, and like entities; to abolish certain inactive boards, commissions, districts, authorities, and like entities; to remove references to certain abolished entities; to abolish the Louisiana Imports and Exports Trust Authority created pursuant to R.S. 9:2341; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Education Facilities Authority; to remove references to, provisions for, and the powers, functions, and duties of the Atchafalaya Trace Advisory Board; to remove references to, provisions for, and the powers, functions, and duties of the Board of Morgan City, Berwick Port Pilot Commissioners and Examiners; to abolish the Louisiana Litter Reduction and Public Action Commission and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Environmental Quality; to remove references to, provisions for, and the powers,

functions, and duties of the Louisiana Motor Carrier Advisory Committee; to remove provisions for the Advisory Committee on Pain; to abolish the Rural Health Care Authority and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Health and Hospitals; to abolish the Louisiana Biomedical Research and Development Park Commission and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Economic Development; to remove provisions for the Southern Louisiana Drinking Water Study Commission; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Healthy People 2010 Planning Council; to remove references to the Louisiana Welfare Reform Coordinating Committee; to remove references to and duties of the Fatherhood Council, including certain plans and reports relative to the Fatherhood Initiative; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Child Care Challenge Committee; to remove references to, provisions for, and the powers, functions, and duties of the Council to Prevent Chemically Exposed Infants; to abolish the Interagency Recreation Board and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Public Safety and Corrections; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Infrastructure Bank and its board of directors; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana High-Speed Rail Transportation Advisory Council; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Western Corridor Commission; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Hospitality Research Program; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana International Trade Development Board; to remove references to and provisions for the executive committee of the Louisiana Economic Development Council and to allocate certain of its duties to the council; to remove references to the Coordinating Council on Telemedicine and Distance Education, the Louisiana Historical Jazz Society, the Medicaid Drug Program Committee, the State Licensing Board for Locksmiths, the Stress Analysts Board, the Governor's Committee on Employment of Physically Handicapped, the Louisiana Marine Recreational Fishing Development Board, the Louisiana Alligator Market Development Authority, and the Council for Development of Spanish in Louisiana; to remove provisions for the Pointe Coupee-West Feliciana Bridge, Ferry, and Tunnel Authority; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 406—BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 43:87, relative to distribution of copies of the official journal of the state containing acts of the legislature; to provide for distribution of copies to judges only upon request; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 415—BY REPRESENTATIVES M. POWELL, BRUNEAU, LANCASTER, AND WADDELL
AN ACT

To amend and reenact R.S. 18:402(F)(5), relative to election dates; to eliminate the January election date for bond, tax, and other proposition elections; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 880 — (Substitute for House Bill No. 431 by Representative Lancaster)

BY REPRESENTATIVES LANCASTER, SALTER, ALARIO, DORSEY, GALLOT, AND HAMMETT AND SENATORS HINES, BAJOEIE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 44:4.1(B)(35), to enact Chapter 4 of Title V of the Children's Code, to be comprised of Articles 541 through 546, and to repeal Chapter 14 of Title 15 of the Louisiana Revised Statutes of 1950, comprised of R.S. 15:1461 through 1464, relative to information concerning children and their families; to provide that agencies providing services to children and their families and city, parish, or other local public school boards are authorized to request the release or exchange of information, data, reports, and records which are relevant and necessary to the performance of their respective duties to children and their families; to provide for procedures relative to the release of such information; to provide for procedures to be utilized when an agency or school board refuses or fails to provide for the release of such information; to require agencies to exercise due diligence in obtaining consent, authorization, waiver, court order, or an order from an administrative law judge to obtain information regarding children and their families; to provide with respect to confidentiality of such information; to provide with respect to immunity from liability; to provide relative to an exception in the public records law; to remove certain provisions specific to juveniles; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHARLES D. JONES
Chairman

REPORT OF COMMITTEE ON

HEALTH AND WELFARE

Senator McPherson, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

June 15, 2005

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 86—

BY SENATOR B. GAUTREAUX

A CONCURRENT RESOLUTION

To create and provide with respect to the Hospital-acquired Infection Reporting Task Force to study and make recommendations regarding the requirement that all hospitals report the incidence of hospital-acquired infections to the Department of Health and Hospitals.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 130—

BY REPRESENTATIVE BEARD

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to explore all avenues to assure that new parents are made aware of their option to donate the blood collected from their newborn's umbilical cord for the purposes of extracting stem cells.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 172—

BY REPRESENTATIVE ROBIDEAUX

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Social Services, bureau of licensing, to study the feasibility of adopting and

implementing rules and regulations to provide for the licensing of "drop-in" programs.

Reported favorably.

HOUSE BILL NO. 242—

BY REPRESENTATIVE CROWE

AN ACT

To amend and reenact R.S. 40:1299.35.7(D), relative to abortion; to provide with respect to the offering of informed consent information in certain cases; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 644—

BY REPRESENTATIVE BARROW

AN ACT

To repeal Children's Code Article 616(E), relative to child abuse; to repeal certain provisions relative to the disposition of reports and investigations of child abuse.

Reported favorably.

HOUSE BILL NO. 675—

BY REPRESENTATIVE BEARD

AN ACT

To amend and reenact R.S. 40:1299.58.2(14) and (15) and 1299.58.3(C)(1) and (3) and to enact R.S. 40:1299.58.2(16), relative to living wills; to define spouse; to provide for the illustrative form; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JOE MCPHERSON
Chairman

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

Senator Mount, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

June 14, 2005

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

HOUSE BILL NO. 187—

BY REPRESENTATIVES ARNOLD, ALARIO, ALEXANDER, ANSARDI, BADON, BALDONE, BAUDOUIN, BRUCE, BRUNEAU, BURNS, CAZAYOUX, CRANE, CRAVINS, CURTIS, DARTEZ, DORSEY, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GREENE, HAMMETT, HEATON, HEBERT, HILL, HUTTER, JACKSON, KATZ, KENNEY, LAFLEUR, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCDONALD, MONTGOMERY, MORRELL, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SCALISE, SCHNEIDER, SHEPHERD, GARY SMITH, JANE SMITH, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WALKER, AND WALSWORTH

A JOINT RESOLUTION

Proposing to amend Article VII, Section 21(E) of the Constitution of Louisiana, to remove prohibition against extending ad valorem tax exemption for motor vehicles to taxes levied by a municipal governing authority or a district created by such authority; to exempt motor vehicles from municipal ad valorem taxes; to provide for the submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 303—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:6006(A), relative to authorizing a credit against income and corporation franchise taxes for ad valorem taxes paid to political subdivisions on natural gas held, used, or consumed in providing natural gas storage services or operating natural gas storage facilities; to delete an obsolete reference; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 304—

BY REPRESENTATIVE HAMMETT
AN ACT

To enact R.S. 47:301(10)(y), relative to state sales and use taxes; to exclude purchases of natural gas held, used, or consumed in providing natural gas storage services or operating natural gas storage facilities from the state sales and use tax; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 356—

BY REPRESENTATIVE RICHMOND
AN ACT

To amend and reenact Section 2 of Act 66 of the 2002 Regular Session of the Legislature and R.S. 47:6016(B)(4), relative to new market tax credits; to define certain terms; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 370—

BY REPRESENTATIVES FAUCHEUX AND GARY SMITH
A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a)(I) and (2)(a) and to add Article VII, Section 18(G)(1)(a)(iv) of the Constitution of Louisiana, relative to ad valorem taxation; to create a special assessment level for persons designated as disabled by the United States Social Security Administration; to provide for submission of the proposed amendment to the electors; to provide a ballot proposition; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 372—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 32:388(B)(1)(b) and ©) and ©) through (F) and to enact R.S. 32:388(G), relative to penalties for overweight and oversized vehicles; to prohibit certain exceptions for overweight and over-axle penalties from being applied to violations which occur on the interstate system; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 573—

BY REPRESENTATIVES KENNARD, ANSARDI, DORSEY, RITCHIE, AND STRAIN
A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a)(I) and (2)(a) and to add Article VII, Section 18(G)(1)(a)(iv) of the Constitution of Louisiana; to provide for a special assessment level for homestead exempt property owned by honorably discharged disabled military veterans for ad valorem tax purposes based upon the extent of the disability; to provide for submission of the proposed amendment to the electors; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 639—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 33:4574.1(b) and R.S. 47:301(6)(b) and (14)(b)(iv), relative to sales and use taxes; to provide relative to the definition of hotel and places of amusement; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 655—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 51:1787(B)(6), relative to sales tax rebates for construction in an enterprise zone; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 835—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 47:633(7)(c)(iv)(introductory paragraph) and (aa), relative to the severance tax; to exempt from the severance tax certain production on wells which have been inactive; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
WILLIE MOUNT
Chairman

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

Senator Mount asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 95—

BY REPRESENTATIVES GARY SMITH, MONTGOMERY, FARRAR, BURRELL, DARTEZ, FAUCHEUX, RICHMOND, AND WHITE AND SENATOR ROMERO
AN ACT

To enact R.S. 29:36.1(E), relative to members of the Louisiana National Guard; to provide for financial support of the members and their survivors; to provide that the Military Department, State of Louisiana, shall study the feasibility of reimbursing group life insurance premiums paid by members; to provide for exemption from tuition charges for the surviving spouse and minor children of any member killed while serving in certain military service; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 152—

BY REPRESENTATIVE E. GUILLORY
AN ACT

To amend and reenact R.S. 18:563(D) and (E) and to enact R.S. 18:563(F), relative to voting procedures; to prohibit the use of certain electronic communication devices while voting; to exempt from the prohibition certain electronic communication devices to be used for assisted voting; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 187—

BY REPRESENTATIVES ARNOLD, ALARIO, ALEXANDER, ANSARDI, BADON, BALDONE, BAUDOUIN, BRUCE, BRUNEAU, BURNS, CAZAYOUX, CRANE, CRAVINS, CURTIS, DARTEZ, DORSEY, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GREENE, HAMMETT, HEATON, HEBERT, HILL, HUTTER, JACKSON, KATZ, KENNEY, LAFLEUR, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCDONALD, MONTGOMERY, MORRELL, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SCALISE, SCHNEIDER, SHEPHERD, GARY SMITH, JANE SMITH, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WALKER, AND WALSWORTH

A JOINT RESOLUTION

Proposing to amend Article VII, Section 21(E) of the Constitution of Louisiana, to remove prohibition against extending ad valorem tax exemption for motor vehicles to taxes levied by a municipal governing authority or a district created by such authority; to exempt motor vehicles from municipal ad valorem taxes; to provide for the submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 242—

BY REPRESENTATIVE CROWE

AN ACT

To amend and reenact R.S. 40:1299.35.7(D), relative to abortion; to provide with respect to the offering of informed consent information in certain cases; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 252—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 42:5(D) and to repeal R.S. 42:5.1, relative to open meetings; to provide for public comment at meetings of school boards; to remove specific provisions applying to meetings of school boards; to apply general provisions regarding public comment at meetings of public bodies to school boards; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 252 by Representative Arnold

AMENDMENT NO. 1

On page 1, line 5, after "boards;" insert "to provide with regard to the time for public comment as to school board meetings;"

AMENDMENT NO. 2

On page 1, line 15, after "body" insert "; provided, however, that at school board meetings a comment period for all comments at the beginning of a meeting shall not suffice as a comment period"

On motion of Senator Jones, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 303—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:6006(A), relative to authorizing a credit against income and corporation franchise taxes for ad valorem taxes paid to political subdivisions on natural gas held, used, or consumed in providing natural gas storage services or

operating natural gas storage facilities; to delete an obsolete reference; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 304—

BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 47:301(10)(y), relative to state sales and use taxes; to exclude purchases of natural gas held, used, or consumed in providing natural gas storage services or operating natural gas storage facilities from the state sales and use tax; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 356—

BY REPRESENTATIVE RICHMOND

AN ACT

To amend and reenact Section 2 of Act 66 of the 2002 Regular Session of the Legislature and R.S. 47:6016(B)(4), relative to new market tax credits; to define certain terms; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 356 by Representative Richmond

AMENDMENT NO. 1

On page 1, line 3, after "(B)(4)" insert "and to enact R.S. 47:6016(H)"

AMENDMENT NO. 2

On page 1, line 4, after "date" insert "and for a termination date for allowing the credits"

AMENDMENT NO. 3

On page 1, line 6, after "reenacted" insert "and R.S. 47:6016(H) is hereby enacted"

AMENDMENT NO. 4

On page 1, at the bottom of the page, insert:

"H. No tax credits shall be allowed for qualified equity investments made after August 31, 2013."

AMENDMENT NO. 5

On page 2, delete lines 4 and 5, and insert "1, 2002."

On motion of Senator Mount, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 370—

BY REPRESENTATIVES FAUCHEUX AND GARY SMITH

A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a)(i) and (2)(a) and to add Article VII, Section 18(G)(1)(a)(iv) of the Constitution of Louisiana, relative to ad valorem taxation; to create a special assessment level for persons designated as disabled by the United States Social Security Administration; to provide for submission of the proposed amendment to the electors; to provide a ballot proposition; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 370 by Representative Fauchaux

AMENDMENT NO. 1

On page 2, line 1, after "successor," delete "or who is sixty-five years of age or older"

AMENDMENT NO. 2

On page 2, delete line 4, and on line 5, delete "the United States Social Security Administration;" and insert the following:

"property tax; to grant a special assessment level to certain disabled people;"

AMENDMENT NO. 3

On page 1, line 18, after "persons" delete the remainder of the line and delete line 19 and on page 2, line 1, delete ", or who is sixty-five years of age or older"

AMENDMENT NO. 4

On page 2, line 12, after "requirement of this" delete "Section." and insert the following:

"Paragraph. The provisions of this Subsubparagraph (a)(iv) shall not apply to an owner who has qualified for and received the special assessment level for persons sixty-five years of age or older or to such owner's surviving spouse as described in Subsubparagraph (a) of this Subparagraph."

AMENDMENT NO. 5

On page 2, line 17, after "level." insert the following:

"The special assessment level shall remain on the property even if the ownership interest of the surviving spouse is an interest in usufruct"

AMENDMENT NO. 6

On page 2, line 21, after "2006" insert "to become effective January 1, 2007"

AMENDMENT NO. 7

On page 2, delete lines 26 through 27, and on line 298 delete "Social Security Administration" and insert the following:

"To grant a "special assessment level" to homesteads of people permanently totally disabled and their spouses who are fifty-five years of age or older, or who have minor children, which provides that the assessment of the homestead cannot be increased above its total assessment for the first year that the owner qualifies for and receives the special assessment level, provided that the value of the property does not increase more than twenty-five percent because of construction or reconstruction; prohibits the special assessment level if such person's or persons' adjusted gross income for the year prior to the application for the special assessment - or on both returns if the spouse's are filing separately - exceeds fifty-six thousand seven hundred forty-four dollars for Tax Year 2005 - which will be adjusted annually by the Consumer Price Index from that tax year."

On motion of Senator Mount, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 372—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 32:388(B)(1)(b) and (c) and (C) through (F) and to enact R.S. 32:388(G), relative to penalties for overweight and oversized vehicles; to prohibit certain exceptions for overweight and over-axle penalties from being applied to violations which occur on the interstate system; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 386—

BY REPRESENTATIVE SMILEY
AN ACT

To amend and reenact R.S. 25:1223(E) and 1224(A)(introductory paragraph) and (13), R.S. 36:610(E), 802(introductory paragraph), and 802.3, and R.S. 51:2379(A)(3) and (D), 2380(C), 2382(B), and 2383(B)(1) and (C), to enact R.S. 36:109(G)(2), 239(B)(6), 259(D), and 409(F)(3), and to repeal Part IV of Chapter 11 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:2251 through 2262, R.S. 25:1222(C) and 1223.1, R.S. 32:390.24, Part IV of Chapter 6 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:1101 through 1106, R.S. 36:4(P), 109(D) and (M), 209(M)(2) and (U), 259(S), 409(C)(9), (D)(1), (J), and (K), 478(C)(5) and (H)(6), 509(N), 629(P), 651(D)(7), 916, and 918, R.S. 37:1285.2, Part IX of Chapter 6 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1486.1, Chapter 22 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2491 through 2494, Chapter 29 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2741 through 2745, R.S. 46:231(2), 261(B), (C), (D), (E), and (G), Chapter 14-D of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1443 and 1443.1, Chapter 38 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2511 through 2514, Subpart B of Part V of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:81 through 84, Part VI-C of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:108.1 and 108.2, Chapter 17 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:1681 through 1687, R.S. 51:936(B), Subpart D of Chapter 9 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1291 and 1292, Chapter 12 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1361 through 1368, R.S. 51:2378(D)(3), and Act No. 319 of the 1977 Regular Session, relative to boards, commissions, authorities, districts, and like entities; to abolish certain inactive boards, commissions, districts, authorities, and like entities; to remove references to certain abolished entities; to abolish the Louisiana Imports and Exports Trust Authority created pursuant to R.S. 9:2341; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Education Facilities Authority; to remove references to, provisions for, and the powers, functions, and duties of the Atchafalaya Trace Advisory Board; to remove references to, provisions for, and the powers, functions, and duties of the Board of Morgan City, Berwick Port Pilot Commissioners and Examiners; to abolish the Louisiana Litter Reduction and Public Action Commission and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Environmental Quality; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Motor Carrier Advisory Committee; to remove provisions for the Advisory Committee on Pain; to abolish the Rural Health Care Authority and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Health and Hospitals; to abolish the Louisiana Biomedical Research and Development Park Commission and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Economic Development; to remove provisions for the Southern Louisiana Drinking Water Study Commission; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Healthy People 2010 Planning Council; to remove references to the Louisiana Welfare Reform Coordinating Committee; to remove references to and duties of the Fatherhood Council, including certain plans and reports relative to the Fatherhood Initiative; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Child Care Challenge Committee; to remove references to, provisions for, and the powers, functions,

and duties of the Council to Prevent Chemically Exposed Infants; to abolish the Interagency Recreation Board and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Public Safety and Corrections; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Infrastructure Bank and its board of directors; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana High-Speed Rail Transportation Advisory Council; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Western Corridor Commission; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Hospitality Research Program; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana International Trade Development Board; to remove references to and provisions for the executive committee of the Louisiana Economic Development Council and to allocate certain of its duties to the council; to remove references to the Coordinating Council on Telemedicine and Distance Education, the Louisiana Historical Jazz Society, the Medicaid Drug Program Committee, the State Licensing Board for Locksmiths, the Stress Analysts Board, the Governor's Committee on Employment of Physically Handicapped, the Louisiana Marine Recreational Fishing Development Board, the Louisiana Alligator Market Development Authority, and the Council for Development of Spanish in Louisiana; to remove provisions for the Pointe Coupee-West Feliciana Bridge, Ferry, and Tunnel Authority; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 386 by Representative Smiley

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 25:1223(E) and 1224(A)(introductory paragraph) and (13),"

AMENDMENT NO. 2

On page 1, line 5, delete "259(D),"

AMENDMENT NO. 3

On page 1, delete line 7 and insert "32:390.24,"

AMENDMENT NO. 4

On page 1, line 8, delete " Louisiana Revised Statutes of 1950, comprised of R.S. 34:1101 through 1106,"

AMENDMENT NO. 5

On page 1, line 9, after "259(S)" insert "and (II)"

AMENDMENT NO. 6

On page 1, line 10, after "R.S. 37:1285.2," insert "Chapter 59 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:3651 through 3664,"

AMENDMENT NO. 7

On page 2, line 3, after "1292," insert "and"

AMENDMENT NO. 8

On page 2, line 5, delete "and Act No. 319 of the 1977 Regular Session,"

AMENDMENT NO. 9

On page 2, delete lines 11 through 14 and insert "Authority; to abolish the Louisiana Litter Reduction and"

AMENDMENT NO. 10

On page 2, delete lines 19 through 21 and insert "the Advisory Committee on Pain; to abolish the Louisiana"

AMENDMENT NO. 11

On page 3, line 14, after "Development Board;" insert "to remove reference to, provisions for, and the powers, functions, and duties of the Board of Certified Employee Assistance Professionals, pursuant to R.S. 37:3653;"

AMENDMENT NO. 12

On page 3, delete line 23 and 24, and insert "and to provide for related matters."

AMENDMENT NO. 13

On page 3, delete lines 26 through 29

AMENDMENT NO. 14

On page 4, delete lines 1 through 15

AMENDMENT NO. 15

On page 4, line 16, change "Section 2." to "Section 1."

AMENDMENT NO. 16

On page 4, line 17, delete "259(D)"

AMENDMENT NO. 17

On page 5, delete lines 11 through 17

AMENDMENT NO. 18

On page 6, line 28, change "Section 3." to "Section 2."

AMENDMENT NO. 19

On page 9, line 19, change "Section 4." to "Section 3."

AMENDMENT NO. 20

On page 9, line 20, delete "R.S. 25:1222(C) and 1223.1,"

AMENDMENT NO. 21

On page 9, delete line 21 and, on line 22, delete "34:1101 through 1106,"

AMENDMENT NO. 22

On page 9, line 22, "259(S)" insert "and (II)"

AMENDMENT NO. 23

On page 9, line 24, after "37:1285.2," insert "Chapter 59 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:3651 through 3664,"

AMENDMENT NO. 24

On page 10, delete line 9

AMENDMENT NO. 25

On page 10, line 10, change "Section 6." to "Section 4."

AMENDMENT NO. 26

On page 10, line 13, change "Section 7." to "Section 5."

On motion of Senator Jones, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 406—

BY REPRESENTATIVE LAMBERT

AN ACT

To amend and reenact R.S. 43:87, relative to distribution of copies of the official journal of the state containing acts of the legislature; to provide for distribution of copies to judges only upon request; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 415—

BY REPRESENTATIVES M. POWELL, BRUNEAU, LANCASTER, AND WADDELL

AN ACT

To amend and reenact R.S. 18:402(F)(5), relative to election dates; to eliminate the January election date for bond, tax, and other proposition elections; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 573—

BY REPRESENTATIVES KENNARD, ANSARDI, DORSEY, RITCHIE, AND STRAIN

A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a)(i) and (2)(a) and to add Article VII, Section 18(G)(1)(a)(iv) of the Constitution of Louisiana; to provide for a special assessment level for homestead exempt property owned by honorably discharged disabled military veterans for ad valorem tax purposes based upon the extent of the disability; to provide for submission of the proposed amendment to the electors; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 573 by Representative Kennard

AMENDMENT NO. 1

On page 1, line 2, after "Section 18(G)(1)(a)(i)" insert "and iii"

AMENDMENT NO. 2

On page 1, line 3, after "Louisiana" delete the remainder of the line and delete lines 4 and 5, and on line 6, delete "disability" and insert the following: ", relative to ad valorem property tax; to provide for a special assessment level for certain deaths, disabilities, and other hazards of the military; to provide for certification of eligibility;"

AMENDMENT NO. 3

On page 1, line 11, after "Section 18(G)(1)(a)(i)" insert "and iii"

AMENDMENT NO. 4

On page 1, line 18, after "occupied by any" delete "person or persons sixty-five years" delete line 19 and on page 2, delete line 1, and insert "of the following and"

AMENDMENT NO. 5

On page 2, line 4, after "provided" insert "that"

AMENDMENT NO. 6

On page 2, line 5, after "qualified for" insert "and receive" and after "level" delete the period and insert the following:

":
(aa) People who are sixty-five years of age or older.
(bb) People who have a service-connected disability rating of fifty percent or more by the United States Department of Veterans Affairs.

(cc) Members of the armed forces of the United States or the Louisiana National Guard who owned and last occupied such property who are killed in action, or who are missing in action or are a prisoner of war for a period exceeding ninety days."

AMENDMENT NO. 7

On page 2, between lines 6 and 7, insert the following:

"(iii) An eligible owner or the owner's spouse or other legally qualified representative shall apply for the special assessment level by filing a signed application establishing that the owner qualifies for the special assessment level with the assessor of the parish or, in the

parish of Orleans, the assessor of the district where the property is located."

AMENDMENT NO. 8

On page 2, at the end of line 12, insert the following

"The provisions of this Subsubparagraph (a)(iv) shall not apply to an owner who has qualified for and received the special assessment level for persons sixty-five years of age or older or to such owner's surviving spouse as described in Subsubparagraph (a)(i) of this Subparagraph."

AMENDMENT NO. 9

On page 2, at the beginning of line 14, after "(2)" delete "The" and insert the following:

"Provided such owner is qualified for and receives the special assessment level, the"

AMENDMENT NO. 10

On page 2, line 15, after "(a)" insert "(i)" change "That" to "The" and after "owner" insert "who is sixty-five years of age or older"

AMENDMENT NO. 11

On page 2, at the end of line 16, after "property" delete the remainder of the line and delete line 17, and insert the following:

"The special assessment level shall remain on the property even if the ownership interest of the surviving spouse is an interest in usufruct.

(ii) The owner who has a service-connected disability of fifty percent or more, or that owner's surviving spouse who is forty-five years of age or older or who has minor children, remains the owner of the property.

(iii) The spouse of the owner who is killed in action remains the owner of the property.

(iv) The first day of the tax year following the tax year in which an owner who was missing in action or was a prisoner of war for a period exceeding ninety days is no longer missing in action or a prisoner of war."

AMENDMENT NO. 12

On page 2, delete lines 28 and 29, and on page 3, delete lines 1 through 3, and insert the following:

"To grant a "special assessment level" to homesteads of people who have a service-connected disability rating of fifty percent or more by the United States Department of Veterans Affairs and people who owned and last occupied such property who are killed in action, or are missing in action or are a prisoner of war for a period exceeding ninety days; to provide that the "special assessment level" remains on the property as long as it is owned by the surviving spouse of the owner who has a service-connected disability who is forty-five years of age or older or who has minor children, or owned by the spouse of the owner who is killed in action; to provide that the "special assessment level" remains on the property until the first day of the tax year following the tax year in which an owner who was missing in action or was a prisoner of war is no longer missing or a prisoner of war; to provide that the assessment of the homestead cannot be increased above its total assessment for the first year that the owner qualifies for and receives the special assessment level, provided that the value of the property does not increase more than twenty-five percent because of construction or reconstruction; prohibits the special assessment level if such person's or persons' adjusted gross income for the year prior to the application for the special assessment - or on both returns if the spouse's are filing separately - exceeds fifty-six thousand seven hundred forty-four dollars for Tax Year 2005 - which will be adjusted annually by the Consumer Price Index for that tax year; to require annual certification of eligibility by those under sixty-five years of age. (Amends Article VII, Section 18(G)(1)(a)(i) and (iii) and (2)(a); adds Article VII, Section 18(G)(1)(a)(iv))"

On motion of Senator Mount, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 639—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 33:4574.1(b) and R.S. 47:301(6)(b) and (14)(b)(iv), relative to sales and use taxes; to provide relative to the definition of hotel and places of amusement; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 644—

BY REPRESENTATIVE BARROW
AN ACT

To repeal Children's Code Article 616(E), relative to child abuse; to repeal certain provisions relative to the disposition of reports and investigations of child abuse.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 655—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 51:1787(B)(6), relative to sales tax rebates for construction in an enterprise zone; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 675—

BY REPRESENTATIVE BEARD
AN ACT

To amend and reenact R.S. 40:1299.58.2(14) and (15) and 1299.58.3(C)(1) and (3) and to enact R.S. 40:1299.58.2(16), relative to living wills; to define spouse; to provide for the illustrative form; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 675 by Representative Beard

AMENDMENT NO. 1

On page 1, line 13, after "patient" delete ", who is"

AMENDMENT NO. 2

On page 1, delete line 14 and insert "or who has been convicted of any crime of violence"

AMENDMENT NO. 3

On page 1, line 15, after "spouse" insert ", that has resulted in the terminal and irreversible condition as defined in Paragraph (15) of this Section"

On motion of Senator McPherson, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 835—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 47:633(7)(c)(iv)(introductory paragraph) and (aa), relative to the severance tax; to exempt from the severance tax certain production on wells which have been

inactive; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 880— (Substitute for House Bill No. 431 by Representative Lancaster)

BY REPRESENTATIVES LANCASTER, SALTER, ALARIO, DORSEY, GALLOT, AND HAMMETT AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 44:4.1(B)(35), to enact Chapter 4 of Title V of the Children's Code, to be comprised of Articles 541 through 546, and to repeal Chapter 14 of Title 15 of the Louisiana Revised Statutes of 1950, comprised of R.S. 15:1461 through 1464, relative to information concerning children and their families; to provide that agencies providing services to children and their families and city, parish, or other local public school boards are authorized to request the release or exchange of information, data, reports, and records which are relevant and necessary to the performance of their respective duties to children and their families; to provide for procedures relative to the release of such information; to provide for procedures to be utilized when an agency or school board refuses or fails to provide for the release of such information; to require agencies to exercise due diligence in obtaining consent, authorization, waiver, court order, or an order from an administrative law judge to obtain information regarding children and their families; to provide with respect to confidentiality of such information; to provide with respect to immunity from liability; to provide relative to an exception in the public records law; to remove certain provisions specific to juveniles; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Motion to Recommit

Senator Shepherd asked for a suspension of the rules for the purpose of recommitting a bill.

Senator Hollis objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-----------|
| Mr. President | Cheek | Jones |
| Bajoie | Duplessis | McPherson |
| Boasso | Gautreaux N | Shepherd |
| Chaisson | Heitmeier | |
| Total - 11 | | |

NAYS

| | | |
|------------|----------|------------|
| Dardenne | Michot | Smith |
| Dupre | Mount | Theunissen |
| Hollis | Nevers | Ullo |
| Kostelka | Romero | |
| Malone | Schedler | |
| Total - 13 | | |

ABSENT

| | | |
|--------|-------------|-------------|
| Adeley | Cravins | Jackson |
| Amedee | Ellington | Lentini |
| Barham | Fields | Marionneaux |
| Broome | Fontenot | Murray |
| Cain | Gautreaux B | |

Total - 14

The Chair declared the Senate refused to suspend the rules.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

June 15, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 133—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To direct the Louisiana Emergency Response Network to establish up to nine regional commissions and begin working on the regional patient care protocols and data collection.

HOUSE CONCURRENT RESOLUTION NO. 142—

BY REPRESENTATIVE LAFONTA

A CONCURRENT RESOLUTION

To request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and function as a joint committee to study the feasibility of a single-payer health insurance system for the citizens of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 155—

BY REPRESENTATIVES CROWE AND SCHNEIDER

A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Public Safety and Corrections to study the feasibility of requiring sex offenders to comply with state-mandated registration and notification requirements immediately prior to release from incarceration.

HOUSE CONCURRENT RESOLUTION NO. 157—

BY REPRESENTATIVE BRUCE

A CONCURRENT RESOLUTION

To urge and request state agencies to participate in the Early Childhood Comprehensive Systems initiative to coordinate services that support early childhood development.

HOUSE CONCURRENT RESOLUTION NO. 183—

BY REPRESENTATIVE DORSEY

A CONCURRENT RESOLUTION

To recognize Thursday, June 16, 2005, as Girl Scouts of the USA Day at the Louisiana State Capitol.

HOUSE CONCURRENT RESOLUTION NO. 184—

BY REPRESENTATIVE ERDEY

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to expedite the design and engineering phase of a certain highway construction project in Livingston Parish.

HOUSE CONCURRENT RESOLUTION NO. 186—

BY REPRESENTATIVE BURRELL

A CONCURRENT RESOLUTION

To commend Ms. Daisy Stewart Wilson for her service and dedication to the community and the Combs McIntyre Community Center project.

HOUSE CONCURRENT RESOLUTION NO. 187—

BY REPRESENTATIVE BURRELL

A CONCURRENT RESOLUTION

To commend Mr. Bobby R. Cockerham for his service and dedication to the community and to the Oak Grove Recreation and Civic Club, Inc.-Combs McIntyre Community Center project.

HOUSE CONCURRENT RESOLUTION NO. 188—

BY REPRESENTATIVE BURRELL

A CONCURRENT RESOLUTION

To recognize June 18, 2005, as Combs McIntyre Day at the Louisiana Legislature and to commend the Oak Grove, Louisiana, community, in West Carroll Parish, on the dedication of the Combs McIntyre Community Center.

HOUSE CONCURRENT RESOLUTION NO. 190—

BY REPRESENTATIVE DANIEL

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect signs at Interstate 10 at the Dalrymple Drive exit in Baton Rouge indicating the location of City Park Golf Course.

HOUSE CONCURRENT RESOLUTION NO. 191—

BY REPRESENTATIVE DANIEL AND SENATOR FIELDS

A CONCURRENT RESOLUTION

To commend The Dunham School football team for defeating four-time state champion Oak Grove to become the Class 1A State Football Champions for the 2004-2005 season.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Message from the House

SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

June 15, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

HOUSE BILL NO. 18—

BY REPRESENTATIVE JOHN SMITH

AN ACT

To enact R.S. 13:961(F)(1)(o), relative to court reporter fees in the Thirty-Sixth Judicial District Court; to provide for determination of fees in all cases by the court; and to provide for related matters.

HOUSE BILL NO. 51—

BY REPRESENTATIVE DORSEY

AN ACT

To amend and reenact R.S. 14:40.2(A) and to enact R.S. 14:40.2(F), (G), and (H), relative to the crime of stalking; to require that the acts constituting the crime of stalking be intentional; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 88—

BY REPRESENTATIVES JANE SMITH, BRUCE, BURRELL, CAZAYOUX, CRAVINS, HEATON, LAFLEUR, MORRELL, WHITE, WOOTON, AND SCALISE

AN ACT

To enact Chapter 6-B of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:641 through 647, relative to offenses against peace officers; to require registration of certain offenders who commit violent crimes against peace officers; to provide for definitions; to provide for the creation of a central registry; to provide for the transmission of registry information to the Louisiana Bureau of Criminal Identification and Information; to provide with respect to limitations of liability;

to provide with respect to the failure to register; to provide for criminal penalties; and to provide for related matters.

HOUSE BILL NO. 101—

BY REPRESENTATIVE T. POWELL AND SENATORS CHAISSON, MOUNT, AND SCHEDLER

AN ACT

To amend and reenact R.S. 14:93.13(B) and to enact R.S. 14:93.12(B)(3) and R.S. 32:414(S), relative to offenses involving unlawful purchase or possession of alcoholic beverages; to provide with respect to criminal penalties for unlawful purchase or possession of alcoholic beverages; to authorize driver's license suspensions as additional criminal penalties; to provide relative to the issuance of a restricted driver's license; and to provide for related matters.

HOUSE BILL NO. 118—

BY REPRESENTATIVE WHITE

AN ACT

To amend and reenact R.S. 37:3298(B), relative to private security; to provide an exception to the private security law for peace officers; and to provide for related matters.

HOUSE BILL NO. 166—

BY REPRESENTATIVES MCDONALD AND THOMPSON AND SENATOR BARHAM

AN ACT

To amend and reenact R.S. 13:2606, relative to justice of the peace courts in West Carroll Parish; to provide for the territorial jurisdiction of the justice of the peace districts; to provide for election of justices of the peace from the new districts; to provide for the territorial jurisdiction of the justice of the peace courts if the police jury district lines are changed; and to provide for related matters.

HOUSE BILL NO. 239—

BY REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 47:2181.1, relative to sales of immovable property for delinquent taxes; to specify the location of the sale; and to provide for related matters.

HOUSE BILL NO. 245—

BY REPRESENTATIVE T. POWELL

AN ACT

To amend and reenact R.S. 56:302.3(B)(1) and (C) and 305(B)(2) and (C)(1) and to enact R.S. 56:10(B)(1)(e) and (13), relative to providing additional funds for the enhancement of the crab fishery in Louisiana; to increase the fee for the purchase of crab gear licenses; to dedicate the revenues from such fee increase; to create the Crab Promotion and Marketing Account in the Seafood Promotion and Marketing Fund; to create the Derelict Crab Trap Removal Program Account in the Conservation Fund; and to provide for related matters.

HOUSE BILL NO. 302—

BY REPRESENTATIVE WOOTON

AN ACT

To authorize and provide for the transfer of certain state property in Plaquemines Parish to the Plaquemines Parish governing authority; and to provide for related matters.

HOUSE BILL NO. 330—

BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 15:529.1(B), relative to habitual offenders; to provide that multiple convictions which become final on the same day are considered to be one conviction for the purposes of the habitual offender law; and to provide for related matters.

HOUSE BILL NO. 365—

BY REPRESENTATIVE DORSEY

AN ACT

To enact R.S. 11:162(E), R.S. 17:1519.16, and R.S. 42:398 and 808(D) and to repeal R.S. 11:413(12), relative to certain health care professionals employed by medical centers of the Louisiana

State University Health Sciences Center; to authorize establishment of unclassified health care professional employee pools for such medical centers; to provide for benefits of employees in the pools; and to provide for related matters.

HOUSE BILL NO. 398—

BY REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 33:175, relative to extension of the corporate limits of a municipality by means of an ordinance; to provide with respect to the period of time after which an ordinance enlarging the boundaries of a municipality is operative and cannot be contested; and to provide for related matters.

HOUSE BILL NO. 451—

BY REPRESENTATIVES GEYMAN AND DORSEY

AN ACT

To enact Code of Criminal Procedure Article 330.2, relative to bail; to provide for the contradictory hearings prior to granting bail for certain sex offenders; to provide for definitions; to provide for the forms of bail for certain sex offenses; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 464—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 32:361.2(A)(2)(d) and 361.3 and to enact R.S. 15:587(A)(1)(d), relative to motor vehicle safety equipment; to provide relative to medical and security exemptions to window tinting regulations; to require applicants for such exemptions to consent to the release of criminal history records and identification files under certain circumstances; to require the release of such information to law enforcement agents under certain circumstances; to exempt certain vehicles from applying for a security exemption; and to provide for related matters.

HOUSE BILL NO. 490—

BY REPRESENTATIVES WADDELL, PINAC, JOHNS, AND THOMPSON

AN ACT

To amend and reenact R.S. 37:2156(C)(3), relative to the State Licensing Board for Contractors; to provide for donations to public university or community college foundations by contractors; and to provide for related matters.

HOUSE BILL NO. 512—

BY REPRESENTATIVE E. GUILLORY

AN ACT

To amend and reenact R.S. 27:93(A)(1) and 391(C) and to enact R.S. 27:93(A)(9) and R.S. 33:9575, to provide with respect to the creation of the Calcasieu Parish Gaming Revenue District; to provide for the boundaries of the district; to provide for the powers and duties of the district, including the power to tax; to provide relative to the levying of admission fees; to authorize the district to levy a fee based on monthly net gaming proceeds of riverboats in lieu of admission fees; to provide for the allocation of funds derived from fees levied by the district; to provide for cooperative endeavors or local services agreements; to provide for legislative intent; and to provide for related matters.

HOUSE BILL NO. 513—

BY REPRESENTATIVES HAMMETT, BOWLER, DANIEL, DEWITT, ERDEY, FAUCHEUX, GEYMAN, HEATON, HEBERT, JOHNS, KENNEY, LANCASTER, MARTINY, MCDONALD, ODINET, JACK SMITH, TOWNSEND, WOOTON, JANE SMITH, KLECKLEY, AND THOMPSON AND SENATORS CHEEK, ELLINGTON, B. GAUTREAUX, N. GAUTREAUX, HINES, MICHOT, MOUNT, SCHEDLER, ADLEY, CAIN, DUPRE, AND NEVERS

AN ACT

To repeal R.S. 47:301(16)(i)(iv), relative to state sales and use tax; to remove restrictions on exclusion from state and local sales and use taxes for digital television and digital radio conversion equipment; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 763—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 51:422.1, relative to unfair sales; to provide for the application of unfair sales provisions to the sale of motor fuel; to provide for exemptions; to provide for maintenance of records; and to provide for related matters.

HOUSE BILL NO. 775—

BY REPRESENTATIVES BARROW, ALARIO, ALEXANDER, BADON, DANIEL, DORSEY, DOWNS, FANNIN, GREENE, HAMMETT, HONEY, KENNEY, M. POWELL, T. POWELL, RITCHIE, SALTER, TRAHAN, WRIGHT, BRUCE, THOMPSON, ANSARDI, BALDONE, BAYLOR, BOWLER, BRUNEAU, BURRELL, R. CARTER, CAZAYOUX, CRANE, CRAVINS, DARTEZ, DEWITT, DOERGE, DOVE, DURAND, ERDEY, FARRAR, FAUCHEUX, FRITH, GLOVER, E. GUILLORY, HEATON, HEBERT, HILL, HOPKINS, HUTTER, JACKSON, JEFFERSON, JOHNS, KENNARD, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARTINY, McDONALD, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, QUEZAIRE, RICHMOND, ROMERO, SCALISE, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, TOWNSEND, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, AND WOOTON AND SENATORS BAJOE, HINES, ADLEY, AMEDEE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN, AND ULLO

AN ACT

To amend and reenact R.S. 29:36.1(A) and (B) and to enact R.S. 29:36.1(E) and (F), to provide exemptions from all or a portion of tuition charges imposed by Louisiana public colleges, universities, and institutions which confer professional degrees for certain students serving in the Louisiana National Guard, including but not limited to students serving pursuant to reenlistment agreements; to provide relative to conditions, limitations, and requirements for initial and continuing eligibility for such tuition exemptions; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 805—

BY REPRESENTATIVE MONTGOMERY AND SENATOR ELLINGTON
AN ACT

To amend and reenact R.S. 47:6014(E)(1), relative to the taxation and for tax relief for certain telephone companies; to provide for the apportionment and dedication of certain taxes for deposit into the Telephone Company Property Assessment Relief Fund; to provide for certain restrictions on the fund; to provide for an effective date; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 15, 2005

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 116—

BY SENATOR BAJOE
A CONCURRENT RESOLUTION

To commend Louise Williams-Arnolfe for being the first African-American student to graduate after matriculating her entire undergraduate years at Louisiana State University in New Orleans (LSUNO).

SENATE CONCURRENT RESOLUTION NO. 118—

BY SENATOR BROOME
A CONCURRENT RESOLUTION

To commend and congratulate the Baton Rouge Fire Department upon achieving and maintaining the high honor and distinction of a Class One fire rating.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 15, 2005

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 48—

BY SENATOR THEUNISSEN
AN ACT

To enact R.S. 38:1871, relative to gravity drainage and sub-drainage districts; to provide relative to civil immunity from liability for certain matters; to provide terms and conditions; to provide an effective date; and to provide for related matters.

SENATE BILL NO. 63—

BY SENATOR DUPLESSIS
AN ACT

To amend and reenact R.S. 32:1254(N)(3)(k)(i)(bb), relative to motor vehicle dealer disclosure; to provide relative to dealer participation in finance charges; and to provide for related matters.

SENATE BILL NO. 102—

BY SENATOR ELLINGTON AND REPRESENTATIVE QUEZAIRE
AN ACT

To enact R.S. 49:191(3) and to repeal R.S. 191(1)(e), relative to the Department of Transportation and Development; to provide for the re-creation of the Department of Transportation and Development and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

SENATE BILL NO. 110—

BY SENATOR SMITH
AN ACT

To amend and reenact R.S. 9:3530(C)(4), relative to consumer loan transactions; to provide for a documentation fee for certain consumer loan transactions; and to provide for related matters.

SENATE BILL NO. 119—

BY SENATORS JACKSON, CHEEK AND MALONE AND REPRESENTATIVES BADON, BARROW, DOWNS, FANNIN, KENNEY AND M. POWELL

AN ACT

To amend and reenact R.S. 17:1516(A), 1517(A), (B), and (D)(introductory paragraph), 3215(6), (7), and (8) and to enact R.S. 17:3215(9), relative to the Louisiana State University and Agricultural and Mechanical College Medical School at Shreveport, to provide for the components and organization of this facility; and to provide for related matters.

SENATE BILL NO. 149—

BY SENATORS BAJOE, BROOME, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, N. GAUTREAUX, HINES, JACKSON, MURRAY AND SCHEDLER AND REPRESENTATIVES FARRAR, GALLOT, JEFFERSON, MARCHAND, MONTGOMERY AND TOWNSEND

AN ACT

To enact R.S. 46:450.5, relative to public assistance; to provide evaluation services to certain persons for chronic kidney disease; to provide early intervention and treatment to certain persons with chronic kidney disease; and to provide for related matters.

SENATE BILL NO. 153—

BY SENATOR MICHOT AND REPRESENTATIVE SCALISE

AN ACT

To enact Code of Civil Procedure Art. 258 and to repeal Act No. 543 of the 1980 Regular Session of the Legislature as amended by Act No. 927 of the 1985 Regular Session of the Legislature and as amended by Act No. 706 of the 1993 Regular Session of the Legislature, relative to clerks of court and official recorders; to provide relative to the filing of any recordable written instrument submitted by certain entities of the state or federal government or by certain financial institutions; to authorize the electronic filing and recording of such instruments; to require certification of conformity of such instruments to form and content required by law; to require certain endorsement of such filed instruments; to provide for procedures relative to receipt of such filed instruments; to provide relative to the effectiveness of such filed instruments; to repeal the authority of the Lafayette Parish Clerk of Court to employ an attorney at law; and to provide for related matters.

SENATE BILL NO. 173— (Duplicate of House Bill No. 859)

BY SENATOR MICHOT AND REPRESENTATIVE ROBIDEAUX AND COAUTHORED BY SENATORS DUPRE, B. GAUTREAUX AND N. GAUTREAUX AND REPRESENTATIVES ALARIO, ALEXANDER, BALDONE, DARTEZ, FAUCHEUX, FRITH, GEYMAN, KLECKLEY, SCALISE AND JACK SMITH

AN ACT

To enact R.S. 47:306.2 and 337.20.1, relative to the payment of state and local sales and use taxes by certain interstate and foreign transportation dealers; to provide for the optional method by which such dealers calculate and pay such taxes; and to provide for related matters.

SENATE BILL NO. 184—

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 40:1299.39.1(A)(1)(e), (2)(a), (3)(a), and the introductory paragraph of (4), and the introductory paragraph of (G) and R.S. 40:1299.47 (A)(1)(e), (2)(a), (3)(a) and (c) and the introductory paragraph of (4), the introductory paragraph of (G), (L) and (M), to enact R.S. 40:1299.39.1(A)(5) and 1299.47(A)(5) and to repeal R.S. 40:1299.47(K); relative to medical liability; and to provide for related matters.

SENATE BILL NO. 190—

BY SENATORS BROOME, BAJOE, HINES, MCPHERSON, MOUNT, JACKSON AND SCHEDLER AND REPRESENTATIVES ALARIO, DORSEY, HAMMETT AND SALTER

AN ACT

To amend and reenact R.S. 40:1299.53 (A)(6) and 1299.58 (A)(introductory paragraph) and (A)(1), to enact R.S. 40:1299.53 (A)(10) and (11), (C) and (D), 1299.58 (G), Chapter 4-A of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:445.1 through 445.32, and Part VI-D of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950,

to be comprised of R.S. 40:2180 through 2180.5, and to repeal R.S. 28:380 through 382 and 383 through 444 and R.S. 28:421 through 427, relative to citizens with developmental disabilities; to provide for definitions; to provide for system components, operations, and principles; to provide for the rights of persons with developmental disabilities; to provide for appeal and grievance procedures; to provide for consent by a person with a developmental disability; to provide for judicial commitment; to provide for the administration of the state developmental centers; to provide for the ombudsman program and quality assurance of facilities and services for persons with developmental disabilities; to provide for licensure of intermediate care facilities for the mentally retarded; to provide for definitions; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 200— (Duplicate of House Bill No. 419)

BY SENATOR BAJOE AND REPRESENTATIVE K. CARTER AND COAUTHORED BY SENATORS JACKSON, MURRAY, NEVERS AND SCHEDLER AND REPRESENTATIVE SCALISE

A JOINT RESOLUTION

Proposing to add Article VII, Section 21(C)(19) of the Constitution of Louisiana, relative to ad valorem property tax exemptions; to provide an exemption for certain artwork; to specify an election for submission of the proposition to electors and provide a ballot proposition; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 208—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 32:304, relative to motor vehicles; to clarify certain requirements with respect to tail lamps on vehicles; and to provide for related matters.

SENATE BILL NO. 210—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact Sections 1 and 2 of Act No. 233 of the 1984 Regular Session of the Legislature, as amended by Act No. 847 of the 1992 Regular Session of the Legislature, Act No. 1364 of the 1997 Regular Session of the Legislature, and Act No. 1378 of the 1999 Regular Session of the Legislature, relative to the Bohemia Spillway; to provide a procedure for persons claiming an ownership interest in property or minerals located in the Bohemia Spillway; to provide for certification of property and mineral ownership interest and for the return of such property and mineral interest to the certified owner or his successor by the Board of Levee Commissioners of the Orleans Levee District; to provide for payment by the board to the certified owner or his successor for mineral revenues received by the board from such property after June 29, 1984; to provide an exemption to the board of commissioners from certain judgments rendered involving title to properties and claims involving mineral revenues derived from land located in the spillway; and to provide for related matters.

SENATE BILL NO. 219—

BY SENATOR FONTENOT

AN ACT

To repeal R.S. 45:1206, relative to the Energy Efficiency Fund; to repeal the authority of the Public Service Commission to adopt rules and regulations to establish the Energy Efficiency Fund; and to provide for related matters.

SENATE BILL NO. 222—

BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 9:3529, relative to certain credit transactions; to provide for the collection of certain fees and charges due to insufficient funds when payment is made by electronic means; and to provide for related matters.

SENATE BILL NO. 224—
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 47:303(D) and R.S. 56:6(21), and 303(D) and (E), and to enact R.S. 34:851.2(12) and 851.37, relative to a system of special certificate agents; to provide for such agents to collect motorboat or sailboat registration certificate fees and to issue registration certificates and decals; to provide for such agents to collect commercial fisherman's license fees and to issue commercial fisherman's licenses; and to provide for related matters.

SENATE BILL NO. 232—
BY SENATOR MURRAY AND REPRESENTATIVE BRUNEAU
AN ACT

To enact R.S. 26:85.2, relative to alcohol beverage control; to establish and authorize the issuance of a museum permit to authorize the limited sale of certain commemorative bottles of alcohol and to authorize the limited service of product samples in a historically-based museum facility that is operated in a historic preservation district; and to provide for related matters.

SENATE BILL NO. 237—
BY SENATOR ULLO
AN ACT

To enact R.S. 46:333(E), relative to blind vendors; to authorize the Department of Social Services to enter into certain contracts; to provide for the assignment of income from vending machines; to provide for compliance with the Randolph-Sheppard Act; and to provide for related matters.

SENATE BILL NO. 238—
BY SENATORS ELLINGTON, AMEDEE, FONTENOT, HOLLIS AND MICHOT
AN ACT

To amend and reenact R.S. 47:318(B)(2), relative to the Department of Economic Development; to provide relative to the disposition of certain tax collections; to provide relative to the marketing fund; and to provide for related matters.

SENATE BILL NO. 247—
BY SENATOR MOUNT AND REPRESENTATIVE BOWLER
AN ACT

To enact Civil Code Art. 2807.5 and R.S. 12:1310.5, relative to partnerships and limited liability companies; to provide for the retroactive effect of a partnership's or a limited liability company's existence when immovable property is acquired by such entities which have not been duly constituted; and to provide for related matters.

SENATE BILL NO. 268—
BY SENATORS SMITH AND ELLINGTON
AN ACT

To amend and reenact R.S. 48:274.1(A)(2)(a), relative to outdoor logo signing program on interstate highways; to provide relative to contracts with third parties; to provide for payment to the Department of Transportation and Development for use of rights-of-way; to provide for selection of the third party or parties to be a competitive process in accordance with the procurement code; and to provide for related matters.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Message to the Governor

SIGNED SENATE BILLS

June 15, 2005

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

SENATE BILL NO. 19—
BY SENATOR THEUNISSEN
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(xiii) and to enact R.S. 17:3048.1(A)(1)(e)(xiv), relative to the Louisiana Tuition Opportunity Program for Students curriculum; to specify the subjects in the core curriculum available as an elective in the subjects of math and science for receipt of a program award for students graduating during or after a specified school year; and to provide for related matters.

SENATE BILL NO. 21—
BY SENATOR N. GAUTREAUX
AN ACT

To enact R.S. 56:799.4(B)(8), relative to the White Lake Property Advisory Board; to provide relative to board composition and membership; to add a member at large to the board who shall be a resident of Ward 8 of Vermilion Parish and appointed by the governor; and to provide for related matters.

SENATE BILL NO. 39—
BY SENATOR THEUNISSEN
AN ACT

To amend and reenact R.S. 24:971(B)(1), 972(A)(18), (B) and (C), and 973(A)(1)(introductory paragraph), and to enact R.S. 24:972(A)(23) and 973(B), relative to the Louisiana Commission on Civic Education; to increase membership; to provide for purposes, powers and duties; and to provide for related matters.

SENATE BILL NO. 62—
BY SENATORS DUPLESSIS, BAJOE AND MURRAY
AN ACT

To enact R.S. 17:1601.6, relative to naming state buildings in honor of a living person; to name the building which houses the school of social work at Southern University at New Orleans; and to provide for related matters.

SENATE BILL NO. 75—
BY SENATOR ADLEY
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H) and (I), relative to the jurisdiction of city courts; to provide relative to the City Court of Springhill; to increase the jurisdictional amount in dispute; and to provide for related matters.

SENATE BILL NO. 92—
BY SENATOR NEVERS AND REPRESENTATIVE STRAIN
AN ACT

To amend and reenact R.S. 36:477(C)(1), relative to the Department of Social Services; to provide with respect to the office of community services and its role in providing for the public child welfare functions of the state; to provide with respect to preventive services to prevent child abuse and neglect and family strengthening and support services; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 95—
BY SENATOR KOSTELKA AND REPRESENTATIVES T. POWELL AND SCALISE
AN ACT

To enact R.S. 23:1601(11), relative to unemployment compensation; to provide with respect to the exclusion of inmates in custodial or penal institutions from the receipt of unemployment benefits during periods of incarceration; and to provide for related matters.

SENATE BILL NO. 115—
BY SENATOR MARIONNEAUX AND REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 15:146(B)(1)(a), relative to the indigent defender fund for the Eighteenth Judicial District; to increase criminal costs in the City Court of Port Allen to fund indigent defense; and to provide for related matters.

SENATE BILL NO. 139—

BY SENATOR JONES AND REPRESENTATIVE RICHMOND
AN ACT

To enact R.S. 40:2405.5, relative to Peace Officer Standards and Training; to provide a training course for law enforcement interaction with mentally ill and developmentally disabled persons; to provide for course requirements; to provide for implementation and reporting requirements; and to provide for related matters.

SENATE BILL NO. 143—

BY SENATORS CAIN, ADLEY, MOUNT, BAJOE, BARHAM, BOASSO, BROOME, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVES BADON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BURRELL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, FRITH, GALLOT, GEYMAN, GREENE, E. GUILLORY, HILL, JEFFERSON, JOHNS, KENNEY, KLECKLEY, LANCASTER, MCDONALD, MONTGOMERY, MORRISH, PIERRE, PINAC, PITRE, M. POWELL, RICHMOND, SALTER, SCHNEIDER, JANE SMITH, JOHN SMITH, STRAIN, THOMPSON, TRAHAN, WADDELL AND WALKER
AN ACT

To designate a portion of Louisiana Highway 12 located in the city of DeQuincy as the "Buddy Henagan Memorial Parkway."

SENATE BILL NO. 144—

BY SENATOR NEVERS AND REPRESENTATIVES CRANE AND THOMPSON
AN ACT

To amend and reenact R.S. 17:427.3(A), (B), (C), (H) and (I)(1), relative to the Teach Louisiana First Program; to provide relative to reducing the shortage of certified teachers in low-performing schools and districts; to provide relative to program purposes, incentive payments, eligibility and selection criteria, reports, and administration; and to provide for related matters.

SENATE BILL NO. 235—

BY SENATOR ULLO AND REPRESENTATIVES TOOMY AND WOOTON
AN ACT

To enact R.S. 34:851.27(B)(9), relative to regulation of vessels and motorboats; to authorize the regulation of air boats by the governing authority of Jefferson Parish and its municipalities; to provide for terms and conditions; to provide for the enforcement of such regulation; and to provide for related matters.

SENATE BILL NO. 236—

BY SENATOR ULLO AND REPRESENTATIVE CRANE
AN ACT

To enact R.S. 17:7.1(B)(3) and (4), relative to certification of principals; to provide for experience requirements; to provide for exceptions and recommendation requirements; and to provide for related matters.

SENATE BILL NO. 249—

BY SENATORS MOUNT AND THEUNISSEN
AN ACT

To authorize and provide for the transfer of certain immovable property located in Calcasieu Parish from the Chennault International Airport Authority to the Board of Supervisors of Community and Technical Colleges, for the use and benefit of its Sowela Campus, in exchange for forgiveness of a certain debt owed by the authority to the state of Louisiana; to provide for an effective date; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Adjournment

Senator Bajoie moved that the Senate adjourn until Thursday, June 16, 2005, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Thursday, June 16, 2005.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk